密勒氏評論報

MILLARD'S REVIEW

OF THE FAR EAST

Published Weekly

Saturday December 14th 1918

The Principle and Practice of Exterritoriality

By Charles Denby

The War and Missionary Work in China

By John L. Childs

Condition of the Chinese Labor Corps in France

By Hollington K. Tong

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Condition of Chinese Railroads

[Prepared by the Far Eastern Division, U. S. Bureau of Foreign and Domestic Commerce]

THE total mileage of public and private lines over which the Chinese Ministry of Communications exercises control is given as 3,703 miles (including the Hsuchow-Kaifengfu line completed in 1916), of which 150 miles are private owned. In addition to this are lines operated under the "concessions" to foreign nations, which total 1,490 miles, making a total of 5,193 miles of railroad operating in China. The country has approximately 460 square miles of territory and 107,000 in population for each mile of railway, as against India's 40 square miles of territory and 8,600 population and the United States' 12 square miles of territory and 3,800 population. Although China's extensive canals will always tend to keep such figures larger than those of other nations, they are valuable as an index to industrial progress, which often waits on the leadership of railway construction but never, without fatal results, leads it.

There are 629 locomotives on the government-owned lines, or about 7 locomotives per 100 miles of lines, including loops and sidings. The average age of these locomotives is nine years and their average tractive capacity 8.843 tons, or a tractive capacity of 64 tons per 100 miles of line (tractive capacity is an engineering unit, meaning the power needed to start a train).

In the absence of definite specifications at the time the locomotives were purchased, each nation has introduced its national type of locomotive under the terms expressed or implied in the various loan agreements for the equipment of the roads. As these lines, built under independent agreements, have become component parts of a national system the need for a standardization of specifications for equipment, materials and supplies is becoming more and more apparent. This is of especial interest to American manufacturers, as the Chinese policy is to prolong the life of the locomotive by more extensive repairs and renewals than is usual in countries where the supply of new locomotives is great enough to warrant frequent replacements. The heavy freight charges and agency commissions on imported locomotives make such a policy impracticable in China.

There are 1,280 passenger coaches, or about 14 per 100 miles of line, with a carrying capacity of 697 passengers per 100 miles of line, an increase of 12 coaches in six months. The number of freight cars in given as 10,652, or 121 per 100 miles of line. This is an increase of 234 cars since June 30, 1915, 110 of which were built in China and the remainder transferred from other uses. The total carrying capacity of these cars was 2,775 tons per 100 miles of line. The lines carried about 69 tons of freight for each ton of capacity, which would mean that each car was loaded 69 times during the year if they were never moved except when loaded to full-weight capacity. But as many cars were moved with less than capacity the average was considerably more than 69 separate loads for each car, which evidences active handling of goods, as the following comparisons giving the tons hauled per ton capacity and the average length of haul per ton for the railways of the countries named will show:

Countries	Tons hauled per ton capacity	Average haul per ton (miles)	Countries	Tons hauled per ton capacity	Average haul per ton (miles)
Japan	99.3	84	China	69.0	89
Austria	83.1	65	France	43.9	77
Germany	69.8	63	United States.	23.7	146

The most important influences on tons hauled per ton capacity is care in securing the maximum load for each car and reduced delays in terminals, and for this reason the average from year to year is a valuable measure of effective management.

Railroad properties are usually of such great magnitude, composed of such a variety of parts, and constructed under such dissimilar conditions, that a mere statement of cost conveys little to the mind. It is essential, therefore, that such costs be expressed in the terms of a known unit of some kind. Length of line is the only kind of unit which has been attempted, but manifestly it is very crude.

The capital per mile of line of the Chinese government railways, as reported on December 31, 1915, compared with capital per mile of line of railways in other countries for the year 1913, follows:

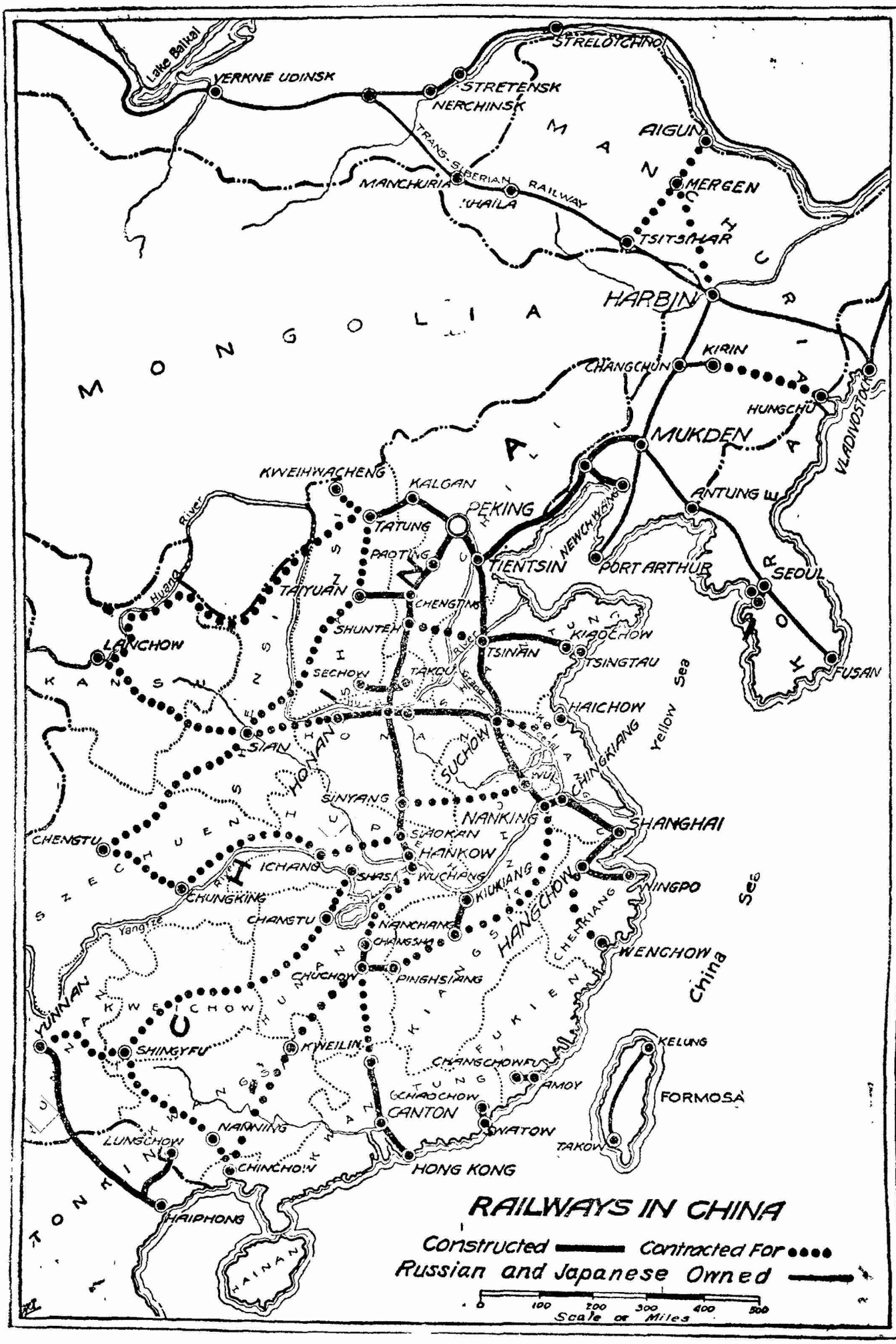
Countries	Capital per mile of line *Chinese dollars* (*a*)	Countries	Capital per mile of line *Chinese dollars* (*a*)
China	121,064	United States	65,861
Germany	120,049	Austria	55,108
Japan	88,633	South Africa	48,527
Russia	86,968	India	46,343

(*a* Chinese dollars are used throughout this report with an average value on January 1, 1916, of 41 cents gold.)

Railroad investment assets include cost of road and equipment, cost of other physical property, and cost of nonphysical assets. The other physical property includes land, mills, or mines, not a part of the operated railway but paid for by railroad capital liabilities; and the nonphysical assets consist of stock and bonds in other companies, purchase price of rights, and similar intangible property. The total of these groups is the sum upon which a normal annual return must be earned before the property can attain the condition of a profit-bearing enterprise. For the Chinese government railroads this sum is 409,523,351 Chinese dollars. In the case of lines already in operation the amount already invested and the question of whether interest on accumulated deficit is mounting faster than revenue from increasing traffic is of primary importance in determining the program for extension and improvement. The following table, therefore, is of interest as showing the credit or debit balance for the year 1915 of the various lines composing the government railways:

Name of line	Length in miles	Balance for the year Credit *Chinese dollars*	Debit *Chinese dollars*
Canton-Kowloon	89		1,007,821.23
Shanghai-Nanking	203		487,211.92
Cheng-Tai	151		117,976.92
Tientsin-Pukow	687		2,572,787.51
Changchow-Amoy	20		88,938.26
Peking-Hankow	817	6,469,571.76	
Shanghai-Hangchow-Ningpo	168		444,284.75
Kaifeng-Honan	115		254,711.03
Canton-Samshui	31	370,323.83	
Kalgan-Suiyuan	119	(*a*)	
Peking-Mukden	600	6,603,606.70	
Peking-Kalgan	148	1,275,587.74	
Kirin-Changchun	80		58,264.43
Chuchow-Pinghsiang	60	208,480.80	
Taokow-Chinghua	94		223,940.14
Chinese government railways	3,382	14,927,570.86	5,256,036.19
Hsuchow-Kaifengfu (completed 1916)	171		
Private lines	150		
Total	3,703	9,671,534.67	

(To be Continued)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密勒氏評論報

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COMMUNICATIONS PERTAINING TO SUBSCRIPTIONS OR ADVERTISING SHOULD BE ADDRESSED TO THE REVIEW AT 113 AVENUE EDWARD VII, SHANGHAI, OR TO J. L. HUTCHISON, REPRESENTATIVE IN AMERICA AT ROOM 529, 17 BATTERY PLACE, NEW YORK, U. S. A.

A RECENT visitor to China, who had seen most of the world before he came to China, said that the thing that appealed to him most in the country was the richness and strength and beauty of the roofs of the houses and temples. Upon closer inspection, however, he was surprised to find that the walls of the houses and temples are usually weak and frail and dilapidated. He naturally wondered why the Chinese people spent so much time, money and attention upon their roofs and so little on the foundations that must support the roof. It was not unusual to see, he said, a perfectly good roof that had done service for hundreds of years, but the foundation had completely rotted away, and the roof was sagging. Then this same visitor in commenting upon the new Chinese constitution, said: "I go around in China and meet a great many men and I hear everywhere about the constitution. There is much interest in the constitution and many Chinese tell me of the men whose service is sought all over the world to help about the Chinese constitution, which should be the roof of the Chinese political structure. But I do not hear very much about people spending very much time or spending very much thought or having very great interest in the columns and foundations of this constitutional roof you hope to put on. Undoubtedly in your privileges and rights and in your social practises you have something that is very precious and I want to call your attention to this fact and ask you to be very careful not to neglect it and to understand how valuable these institutions are." China is about to have another conference to settle again the matter of her internal affairs. Undoubtedly, much will be said and written during this conference about the Chinese con-

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stitution. A constitution drawn up by the world's best legal and political minds and double sealed by all of the official seals of China will be of no more value than the parchment it is written on, unless something more is done than heretofore for the foundation of that constitution. Unless there is improvement in education for the masses; improvement in Chinese official, public and business morality; unless there is a greater spirit of service or patriotism for the state in the larger sense; unless there is more charity and regard for these outside of the blood family relationships—all of the constitutions in the world and all of the advice in the world will not save China.

MINISTER Lu Cheng-hsiang, China's delegate to the peace conference, is reported to be "diplomatically ill" in Yokohama. It is said that the Japanese government had prepared a document for his signature, binding him not to say certain things at the peace conference in Europe. Having learned of this, Minister Lu became ill, suffering from rheumatism, and was unable to walk. Minister Chang Chung-hsiang, Chinese envoy to Japan, who had made all arrangements for Lu to see many able Japanese officials for the purpose of exchanging views on China's proposals at the peace conference, was naturally disappointed and has tendered his resignation. The views of the Allied legations in Peking are that in case the Japanese did force Minister Lu to sign such a document, it would amount to a mere scrap of paper and have no effect. The representatives of America and the Allies are now acquainted with the situation in China and know in a general way what China plans to propose and what she does not plan to bring up. Whether Mr. Lu has been forced to sign a document of such an extraordinary nature will naturally be learned when he presents certain items at the conference table. This is a simple matter, as is pointed out by one foreign official, who expressed no surprise when he heard the news. The Chinese press has previously urged that the government should have sent its delegation to the peace conference direct to Europe without stopping in Japan, and that a warship should have been dispatched to escort the delegation across the Pacific and the Atlantic. The fact that the government did not provide such facilities of transportation for Minister Lu and his suite is regarded in certain quarters as a program arranged by pro-Japanese officials. The Chinese public takes an unusual amount of interest in the diplomatic illness of Minister Lu in Yokohama and the resignation of Minister Chang from his Tokio post. The foreign public takes no less an interest in them. It is believed that Minister Lu planned to go to Tokio to present his credentials to the Emperor of Japan and call on the Japanese Minister for Foreign Affairs before his departure for Europe.

SEVERAL military governors who departed from Peking in the early part of this week are reported to have "worked" the Imperial Manchu family out of several million dollars' worth of valuable jewelry and curios through the instrumentality of a powerful eunuch, named Lu. This news has been learned from an authoritative source in Peking. Great confusion has been created in the old Manchu court, which has thus begun to feel the menacing influence of the military governors within its quiet precincts. The scandal has been whispered about in the Chinese Metropolis, and so far as we know this is the first publication of news of the affair. It is curious enough that the Note of the Allied governments was partly responsible for this robbery of the ex-Imperial family. The Allied Note put a stop to the ambitions of several military governors who assembled in Peking to intrigue against the President and against the Republic of China. Their attention then turned in another direction, namely to gambling on an unusually extravagant scale, and to a desire to get all the money that was loose in the Capital. When they had secured all the funds which the government was able to give under the name of war funds, they then turned their attention toward the valuable jewelry and priceless curios in the possession of the family of the former Emperor, which are still hidden in the seclusion of the Palace in the Forbidden City. These military governors obtained the assistance of a useful accomplice, Eunuch Lu, who knows the ins and outs of the court, and who was only too willing to get rich quick. Eunuch Lu first conveyed the information to the Court that the military governors wanted funds to launch another monarchical movement with a view to placing the boy Emperor again on the Throne, as they were disgusted with the whole political situation in China and they firmly believed that it was useless to endeavor to solve it unless the powerful Manchus returned to power. The royal family had no desire to finance such a movement, having had bitter experience with General Chang Hsun, who obtained much money from them for his *coup d'etat* in the summer of 1917, therefore they declined to consider the proposal. Threats of the suspension of the annual pensions for the Manchu court and other steps to be taken against it were used in order to extort jewelry and curios from the court, and finally something like $10,000,000 worth, according to reports, was delivered over to them. Following the acquisition of this ill-gotten wealth, the military governors departed from Peking. Thus the intrigues of eunuchs and military governors who have robbed inno-

cent people of their private and national wealth are again in evidence in China. This time they have robbed the powerless Manchu family in an equally merciless manner. Real progress does seem slow in certain circles in China.

THE American wireless report of December 11 carried the information that the Americanization of German-owned property in the United States would be continued until peace is proclaimed and possibly longer, during the extended period of liquidation. A. Mitchell Palmer, American Alien Property Custodian, stated in the report that the policy of Americanization had snatched the knife away from the throat of America and would destroy the German hold on American industry and would assure American manufacturers fair competition in their own and foreign markets. In addition to this report, recent American newspapers contained a report from New York to the effect that a large cargo of German-made toys, which had been purchased in Germany long before America joined in the war and had been held in Rotterdam until just recently, when they were delivered in America by a Dutch steamer, had been refused by the American purchasers at a tremendous loss of money. The American merchants were practically unanimous in spurning the German-made merchandise. How different from the reports that have been circulated recently in China in connection with the liquidation of German-owned property and the possibility of German cargo again being received in this country. The liquidation of the German bank has been consistently delayed and handicapped, and Chinese merchants have been gullible enough to believe the German propaganda that German merchants will be able to deliver their dyes and other merchandise in China immediately after the peace conference. A few Chinese merchants even have had the poor taste to approach American, British and French dealers and attempt to get out of contracts because, "the Germans have told us that their cargo soon would be coming along and at lower prices." The Chinese dealer who still puts his trust in his German business friends at this late stage of affairs, is certainly building on a foundation of quicksand that is likely to engulf him and his business, and that soon. China is very much on trial at the present time, and the occasion is too tremendously important for any further dillydallying with German affairs. Barring one unfortunate case in the Philippines, regarding which all true Americans are heartily ashamed, German-owned property and German interests in America and American territory have been closed out without scandal. China yet has an opportunity to make a clean record in this respect. Let us hope that the Chinese and the foreigners who are assisting in these enterprises bear these important facts in mind.

ELSEWHERE in this issue of the REVIEW will be found an announcement of an exhibition of American industrial moving-picture films that is to be given in Shanghai during the coming week. These pictures have been selected for the special purpose of showing to the Chinese and foreign communities of Shanghai in as vivid a manner as possible some of the most important facts concerning American industries. For example, the films will show American business methods, manufacturing processes, labor-saving devices, efficiency methods, care taken for the health and protection of laborers, and so on, all of which is of vital importance to China at this time since this country is now on the verge of a tremendous industrial expansion. If it were possible for every Chinese business man to visit America or Europe and see for himself how industries are operated, it would save China much in treasure and man-power, but since that is impossible the next best thing is to see the pictorial reproduction which in many ways is just as good as a personal visit. These films are of special interest to Chinese business men, since they were taken of industries that have a special application to China and a direct bearing on the Chinese market. In short, it will not be many years before China will be in the market to build up similar industries, hence the importance that Chinese merchants should see how the work is done in foreign countries. The films are being shown under the auspices of the American Association of China and persons desiring tickets are urged to communicate with that body at once.

IN connection with this exhibition of American industrial moving-picture films in China, it might be well to explain a few factors or principles pertaining to American industries that are of special interest out here in the export field. When Charles R. Crane was in China he explained on one or two occasions, the methods back of America's ship-building program. He explained that in spite of the fact that few of the men directly connected with the large government shipyard near Philadelphia had never been connected with the shipbuilding industry, they were familiar with the principles of real scientific efficiency and they applied the principles to ship construction just as they would apply them to automobile construction or anything else on a quantity basis. As a result, they had constructed a shipyard that soon would be able to deliver a 10-ton cargo boat every day and further they soon would have the cost down so low that nobody else would be able to compete with this program. In short, they have standardized shipbuilding just as production in other lines of industry have been standardized. This has a special interest in China for this reason: The question is often asked, why doesn't America "cater" to foreign trade as

other nations such as Germany for instance did before the war? If a Chinese wants a certain make of automobile, and he wants that automobile painted in a sky-blue tint instead of the customary black, the question naturally arises as to why the American manufacturer doesn't so paint the car for him? The answer is that this automobile is the very best value in the world for the price asked, because it is produced on a quantity standardized basis. This automobile factory manufactures these cars at the rate of one every few minutes. Every possible economy has been effected, from the material at the mines and forests to the delivery of the car in the foreign port. And in spite of the low price charged for the completed product the workmen who produced the article are the highest paid in the world. If the foreign buyer demands changes in color or design, he must necessarily alter and pay the extra charge himself.

BEFORE the war Germany did everything possible to discover how America made shoes. She sent her experts to American factories and she even bribed away American foremen, but in spite of all of her efforts before the war America was selling three times as many shoes in Germany as Germany was manufacturing herself. Standard goods produced in great quantities distinguish the output of American factories; specialization of manufactures is also characteristic. Loss of time is added to other expenses in almost every case where serious changes from a factory's established products are demanded. No manufacturer anywhere has been able to meet the competition of the Ford automobile for the reasons recounted above. The benefit goes to the ultimate purchaser because of this standardization of output. If conditions were different and attention was given to many styles, the price would be above the average purchaser. American manufacturers do attempt to meet the tastes of foreign buyers, but in meeting that taste, there must be standardization for quantity production. A Ford car for example meets a certain demand in China. It also meets this same demand in Japan, Russia, South Africa, Siam and Australia. Only in this way may the larger benefit of serving a world market with the very best possible article at the lowest possible price be effected. As a rule, European factories are organized differently from American plants. In principle, the European manufacturer produces small amounts as distinguished from our quantity production; and because labor is not so expensive in Europe that element of cost is not important as in America. Because of this fact it becomes possible for the European manufacturer to place his men on totally different kinds of work and on the making of various articles. It can be truthfully said that the bulk of any manufacturer's output is consumed in his own country. This applies in America as well as in Europe. As a consequence of this fact, the European factories, having a smaller domestic demand than American plants, usually produce a smaller quantity. Specialization of products, an it is known in the United States, is not commos in European factories. A manufacturer of women's shoes in America seldom if ever attempts to make men's shoes; nor does the manufacturer of high-grade shoes usually consent to produce inferior-grade shoes in the same factory. The manufacture of boys' and girls' shoes is again a specialized industry. In Europe the reverse of this condition usually exists—that is: the European manufacturer produces all kinds and grades in one factory. Since Chinese industries themselves must follow these same ideas in their growth in order to supply a large native demand, these facts are of peculiar interest here.

NEWS reports from many sources during the past week carried various and conflicting reports as to what Great Britain, France, Italy, America and other nations expected to do and "get" at the peace conference, but perhaps the most interesting report of all was printed in the Japanese newspapers last week under an *Asahi* service date line as follows:

Paris, November 28.—The *Echo de Paris*, after publishing the purport of Japan's peace terms, says that Japan concluded an agreement with the British government in February, 1917, by which the disposal of Tsingtao and the German colonies north of the equator were agreed upon. It is presumed that the Allies will give their approval of the agreement at the instance of Great Britain and that Japan's demands will be satisfactorily settled.

Just what Japanese interests expect to accomplish by circulating such mis-information as that conveyed in the foregoing is difficult to understand. To those who would lend an ear to this sort of Japanese propaganda, we recommend again a reading of President Wilson's five chief elements that make up the "particulars" of the constitution of a League of Nations, which were given in the following words by the President:

First, the impartial justice meted out must involve no discrimination between those to whom we wish to be just and those to whom we do not wish to be just. It must be a justice that plays no favorites and knows no standard but the equal rights of the several people concerned.

Second, no separate interest of any single nation or any group of nations can be made the basis of any part of the settlement which is not consistent with the common interest of all.

Third, there can be no leagues or alliances or special covenants and understandings with the general and common family of the League of Nations.

Fourth, and more specifically, there can be no special, selfish economic combinations within the League and no employment of any form of economic boycott

or exclusion except as the power of economic penalty by exclusion from the markets of the world may be vested in a League of Nations itself as a means of discipline and control.

Fifth, all international agreements and treaties of every kind must be made known in their entirety to the rest of the world.

VIEWS prevail in Chinese official circles that Japan has no sincere intention or desire to agree to a universal reduction in armaments or to be a party to the League of Nations until she has found out through bitter experience that she is no match for America or any other Western nation in warlike competition. The defeat of German militarism has failed to convince the Japanese military autocracy of the impossibility of dominating the world or even Asia by force of arms. Only four months ago, the Japanese government adopted the German army corps system and discarded her own system of divisions. Japan is also consistently carrying out her naval program. More warships are being constructed. In short, the ruling authorities still believe that it is yet possible to challenge the world if it tries to interfere with their plans of aggrandizement on the continent of Asia, providing they have a powerful army and a more powerful navy. The Chinese people, knowing the unchanged ambition of Japan, welcome the announcement cabled from Washington a few weeks ago and now published in the Chinese newspapers throughout the length and breadth of the country that America intends to continue her policy of naval expansion and that the new three years' program provides for 10 super-dreadnoughts, 6 battle-cruisers and 140 smaller vessels. They read into this announcement much significance, and praise the sagacity of the Washington government, which evidently understands the real situation in the Far East as Far Easterners understand it. At first sight, the naval program of America appears to be in conflict with President Wilson's professed hope that "national armaments will be reduced to the lowest point consistent with domestic safety," and also in conflict with the doctrine of the League of Nations. But this is not so. Japan is still arming herself to the teeth, and is working hard against the League of Nations idea and the doctrine of self-determination as preached by President Wilson, under the pretext that these principles are not applicable to Asia.

SEVERAL Japanese newspapers pointed out that the principle of self-determination can hold good only in Europe and that as far as the East is concerned there is no single reason discoverable for its adoption. They intimated that if they are not given freedom of action in the Far East they will be compelled to take up militarism with a vengeance. As if in reply to this intimation, America has announced her naval program. In this connection, the following editorial view of the *Peking & Tientsin Times*, which usually voices British official opinion, may be read with great interest: "'The League of Nations and disarmament,' said Mr. Daniels, when announcing the continuance of a policy of naval expansion, 'were questions for future settlement, and none could foresee the result.' And so, instead of telling Japan plainly that she, and she alone, is blocking the path to general disarmament, America announces a naval program for the next three years that must convince Japan that competition in armaments is hopeless. America's naval program must not be interpreted as a menace or a threat to Japan; but as it is inconceivable that the huge fleet to be built in the next three years can be required for service against any other naval Power, one can infer that here is a polite intimation to Tokio of America's intention to exceed anything that Japan can even attempt, in the way of naval construction, unless she comes into line on the disarmament proposals which must come up for discussion at Versailles. Without any injury to Japan's pride, without any threat to compel her to do what the whole world is waiting to see her do, America tells her plainly that if she elects to continue the competition in armaments, she will be outdistanced from the very start. This is our interpretation of America's action. It remains to be seen whether Japan will take the lesson to heart."

THE Japanese government, in a recent announcement of a change of policy toward China and Siberia, stated that no further financial advances would be made to the Chinese for the purpose of continuing the internal strife. The *Manchuria Daily News* (Japanese) of December 5, contained the following outline of the Japanese "change of policy," a perusal of which leads us to wonder whether this recent change is merely another form of Japanese camouflage:

> "A Foreign Office *communique* states that, as the investments of Japanese capitalists in China and Siberia, as the situation develops, have important bearings on Japan's diplomatic and economic welfare, the Japanese government has formed the following policy for strict observance:
>
> "1. Hereafter, any Japanese capitalist, who intends to open negotiations for a loan or a like enterprise for investment in China or Siberia, shall first report the same to the Foreign Office, Embassy, or Legation, or Consulate concerned and shall ask for instructions. The progress of such negotiations shall be reported from time to time.

"2. When the Embassy, Legation or Consulate has received any such report, the same report shall be submitted to the Foreign Office at once.

"3. When the Foreign Office has received any such reports as above mentioned, the same reports shall be transmitted to the Finance and other Offices concerned without delay.

"4. The government may give directions to the capitalists.

"Another Foreign Office *communique* states that the Japanese government shall interfere with no legitimate financial or economic enterprises of Japanese subjects in China, and that the government has decided to refrain from offering any financial aid that is considered as liable to cause misunderstanding between the North and the South and to complicate the situation further."

A FINE example of the way Japan has profited in China by every turn of the political wheels of the Far East is afforded by the wholly illegitimate chain of wireless stations which she has succeeded in erecting in China. The first link in this chain of stations was placed in Hankow under a pretext offered by the 1911 revolution. Those who were living in the Far East at the time will recall the circumstances. While other nations with interests in Hankow were able to protect them by means of marines and small guards from the river gunboats, the Japanese established a garrison immediately adjoining the Japanese concession. Barracks were erected here and have been retained despite the protests of the Chinese government. At first Japan replied to the protest that these buildings were "schools," but even that subterfuge has now been abandoned. They were never schools in any sense of the word. With the barracks as a starter, the Japanese improved their position by the erection of a powerful wireless station. This station is so powerful that it can intercept stations as far away as Honolulu and on many occasions it has been used to prevent British and American gunboats on the Yangtze from communicating with each other. This wireless station, six hundred miles in the interior of China, is wholly without legal status and was erected under the fraudulent claim that it was a part of school equipment. As soon as Japanese troops advanced into Shantung province during the attack on Tsingtao, another station was erected, this time at Tsinanfu. Here at the provincial capital of Shantung is a wireless station which has no more legal standing than the station at Hankow. The third station at Tsingtao completes the chain, the last one being the only one to which Japan has any right. These stations communicate with each other and with the powerful station at Dairen. They constitute a violation of China's sovereign right to control communications within her borders. Furthermore, these stations are constantly used to interfere with all other wireless communication in the Far East. The French station in Shanghai is frequently unable to send or receive messages because of the interference of the Japanese wireless, and trans-Pacific liners of the Pacific Mail (American) line when they approach the China coast often find their wireless apparatus quite useless.

Result of the War Upon Missionary Work in China

JOHN L. CHILDS

THAT the war will profoundly influence the future of the missionary enterprise in China is apparent. Upon this point the great majority of the missionaries seem to be absolutely united. There may be here and there in China a few missionaries who conceive their task so much in "other worldly" terms as to assume that their work will not be affected, but, if there are such, the writer out of a fairly wide contact with the missionary body has failed to encounter them. The missionary group as a whole is keenly awake to the fact that the war is making fundamental changes in the Western world. They have too long been aware of the essential solidarity of the human race, not to be convinced that these changes are to be felt in the whole structure of the life of the Far East.

It would be the writer's opinion that the missionaries would be largely found in that group of liberals who really expect and intend to demand that this war produce a better world as a result. There is small sentiment to be found among them for a temporizing peace that would mean a return to the conditions that existed before August 1, 1914. They take President Wilson's declarations at face value, and they are prepared to follow his leadership all of the way through. Others may scoff at the idea of a League of Nations dedicated to the task of preserving peace throughout the world, arising as one of the great achievements of the struggle, but not so the missionaries. They take it as a practical program. It fits in with their conception of things. They believe that war is not the only method of settling international disputes. They subscribe to the opinion that now that the issue has been definitely drawn between war as a permanent social measure and the Christian position that war is bound to go the way of slavery. Their belief in a righteous God working out His creative will in the affairs of men helps them right at this point. Surely, they say, the sacrifice called out by this war is not to be in vain. God will not let all of this human suffering go with-

out some compensating result. This compensation to be adequate demands a new organization of the world which shall put war upon the scrap-heap of outworn social methods.

Nor need one fear that missionaries are to be content just to vaguely hope that such will be the outcome of this war. While they believe that God intended this world to be free from the curse of war, and that the life which has been given ought to be sufficient to release forces to re-construct the world upon an entirely new international basis, they do not intend to be found asleep, or so much absorbed in singing doxologies during the period when the peace is made and the framework of the new world constructed, that they shall not do their full share in the support of the labors of those who shall essay this great task.

Certainly if the close of this war is to witness such an organization of the world as is foreshadowed in the proposed League to Enforce Peace, it is certain to have the most immediate and direct effect upon Christian work in China. Missionaries feel this deeply. The last few years of political uncertainty and disturbed national conditions in China have had their effect upon the work of the missionaries, as it has had its effect upon the work of those who are interested in the trade and commerce of China. The Christian cause would suffer greatly were these conditions to continue indefinitely, and particularly were China to lose her political independence. While some might consider it an over-statement it is not an uncommon thing to hear missionaries declare, "the future of our work in China is practically bound up to the outcome of things on the Western front." No one who has a social gospel can fail to be in sympathy with this position. Christianity while centered in the great eternal verities has its very real interest in the here and now. Its program takes it into the very heart of all that is of concern to the national life of the Chinese people. The peace that is to be made at the conclusion of the Great War must be a durable one. To be durable it not only has to dispose of German militarism, but it likewise has to declare for just dealing between the advanced and more highly organized nations, and their weaker and more backward neighbors. A durable peace will have to get down to root issues on the Far Eastern situation. President Wilson in one of his utterances has said in effect: "The test of our sincerity in this war is to be measured by the attitude we take toward Russia. Our desire to help her ought to be conditioned by her need and desire to have our help." To a similar degree the attitude of the Allied nations toward a great country like China is to be a test of the sincerity of those who proclaim themselves to be fighting in this war for democracy and the rights of small and weaker nations. A new standard must be formed in the field of international relationships. China must be viewed less as a field for attractive exploitation and more as a nation which right now desperately needs the constructive assistance of her stronger neighbors.

It is here that some missionaries would place emphasis upon the probable result of this war upon work in China. They confidently expect to see more of the missionary spirit expressing itself in the relations of foreign nations to China. They do not believe that in the future these nations will be content to let their expressions of goodwill and service be so largely confined to the work of the voluntary church societies. They also believe that there will be much less contradiction between the spirit of the Western nations as expressed through their missionary representatives, and the spirit which shall guide in the political contacts of these same countries. America has shown by her entrance into this war, and the power with which she has consistently kept to the front the aims for which she is fighting, that it is possible for a nation to organize and utilize all of its resources in a great enterprise that at least has much of the altruistic in its fundamental conception. The British Empire has made a similar demonstration. Others may call it enlightened self-interest but after all that is more of a squabble about a name than the reality. The fact is that both of these nations by adopting the purely safety-first attitude could have escaped entrance into this conflict. True with the passage of time they might have found that they had remained out of this war, that they had withheld their services from their hard pressed neighbors, who were fighting in a righteous cause, to their own great loss. But this does not alter the fact that they both engaged in a struggle which would cost them heavily which they might have avoided by simply consulting immediate personal interest. The very fact that to have stayed out now might have meant great disaster later, is only another way for saying that in this world in which we now live no nation is safe unless the principles of international justice and the sanctity of treaties made for the protection of the weaker nations are also safe. Or to paraphrase a teaching of Jesus, no nation liveth unto itself alone. America has long attempted to live in the peace of its own isolation, but her emergence from it is now an accomplished fact for all time. It is not a great step from the position which says that the world is now too small to let Germany run loose in a war for self-aggrandizement even though her immediate intentions do not threaten our own security, to the position which says that the world is also too small to allow one half of its people to live in great ignorance and poverty, a growing menace to the other half. Call it

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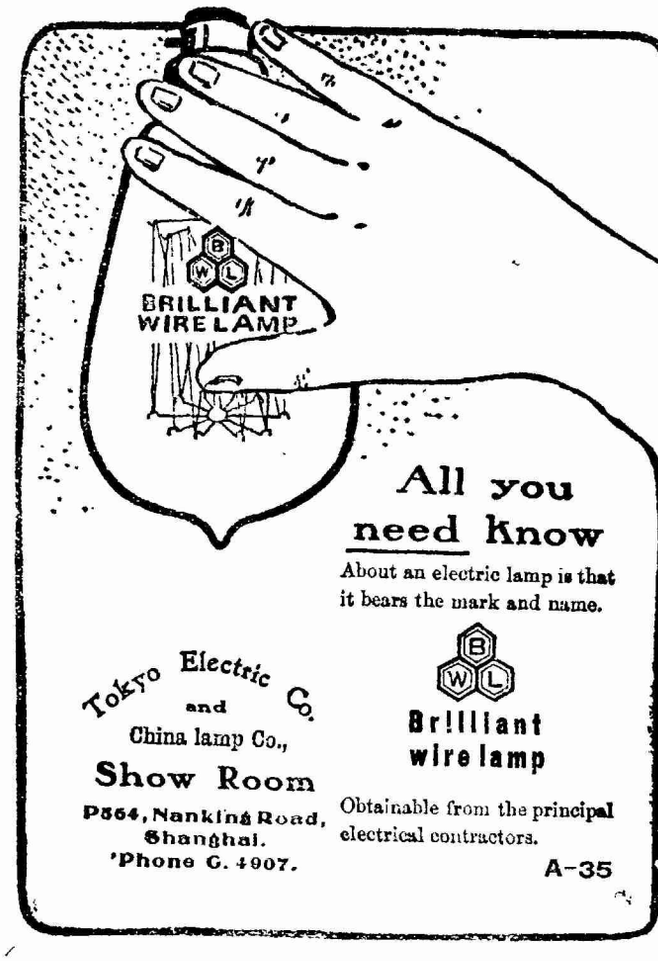
altruism, enlightened self-interest, or what you will, the fact remains that we have about reached that stage in the development of the world civilization where we are obliged to look upon the whole world as a unit. America and England and their allies will either enter upon a program to assist their weaker sister nations like China and Russia, or they will find the social evils which now exist in those countries striking back with deadly power at the nations who are responsible for not having employed their resources in the work of the amelioration of these conditions.

Thus we find that enlightened self-interest, a desire for a new organization of the world which will make democracy safe and war unprofitable, unite with the higher motive which says "The strong ought to bear the burdens of the weak," in the demand that the more advanced Western nations shall get under the load of the Far East. The real price that must be paid for the new and better world that we are fighting for on the Western front includes that we pay the price for the salvation of Asia. Just how this help is to be extended to China is a big question. It ought to come at the invitation of the Chinese people, and my contact with many of the more progressive men of China would lead me to believe that they now sincerely desire such assistance. There seems to be a growing feeling among many of the younger Chinese who most care for their country that they not only would welcome such assistance from the West, but that in a sense they have a right to ask for it. Surely after peace has been declared and the great work of re-construction has been begun this phase of the task must not be neglected. Here the missionaries have a solemn responsibility in bringing to the attention of their respective countries the legitimate claim that China has upon their support. China needs some of the best engineers, business men, educators, social workers and statesmen that the West can supply her. China needs to be able to get Western money on fair and possible terms. China needs to have her own independence guaranteed as she sets herself in earnest to the task of building a modern state out of her ancient civilization. China has a right to expect that the great foreign Powers will prove themselves her friends and helpers in all of this.

If then we may reasonably expect or at least hope for the Western nations to unite at the conclusion of this war in an honest and reasonably unselfish effort to assist China, what is to be the effect of this move upon the missionary enterprise which has been the pioneer expression of this spirit? If nations are to seriously set themselves to the cause of the educational, social, as well as industrial development of China, what will there be left for the voluntary societies to do? Assuredly it will not mean a lessening of their opportunity. Whether or no nations as entities engage in the enterprise of building the new China, we are certain that the close of the war is to witness in the Far East a tremendous development of all that is understood to be covered by the term Western material civilization. The prestige of this material civilization now in China is enormous, and all that it requires is a favorable opportunity to give it great development. No one close to the facts can doubt the truth of the statement that Western civilization is about to conquer the Orient. The invasion is already well begun and the close of the war will witness its development at a greatly accelerated rate. The real question as one of the keen observers in America has put it "Is not whether Western Civilization will conquer the Orient, but whether Christianity will conquer Western Civilization?" Increasingly this is to be the task of Christian workers in China. We must see that the Western civilization which wins the day in China is built upon spiritual foundations; that the principles of Christ are made the working principles of the New Order in China; that a Christian conscience will sit in moral judgment upon all of its activities; that it will be based upon the conception of the sacredness of life which Christ gave to the world; that it will have a soul able to use its new found powers for the advancement of human liberty and freedom

in China and the world; that it will be possessed of such a faith that will enable it to carry all of this weight of material civilization and at the same time triumph in the things of the spirit. If this is to be achieved the missionaries have their task cut out for them. Without the new civilization resting upon the corner-stone of Christianity, we may well tremble not only for the future of China but of the world. Either the motives of Jesus or the motives of Caesar are to prevail out here. To the missionaries falls the responsibility of leading in the work to see that the spirit of Christ becomes the controlling influence in the life of China and the Orient.

If increasingly this is to be our task in China what is the bearing of it upon our work? The war teaches one great lesson. Those who have been engaged in religious work with men at the front bring back unanimous testimony to the fact that the Christianity which gets a hearing over there is that which has been stripped down to the naked realities. There, as always, when Christianity has come into close grips with life, it has been its simple elemental truths that have had power to demand allegiance. The Christianity which serves, which exalts the spirit of love, which yields faithfulness in character, which trusts in the Father God who cares for us and who is interested in our concerns, however petty they may seem, has held its sway over the lives of the men in the war zone. It is a Christianity which centers itself more in a simple belief in Jesus rather than in a belief in theories that men have worked out about Jesus. Less of theology and more of Christ seems to have been the keynote of the messages of the speakers who have done most for the soldiers. On the whole it seems to have been a Christianity which has talked less and one which has been dead in earnest in action. And yet it is no mere humanitarian gospel that the soldiers find able to satisfy them. It is a gospel that is rooted in a God conciousness, and as one man recently put it in his letter home: "All of us pray over here." The first challenge, therefore, that the war brings to us missionaries is to stand for the simplicity of the Christianity of Christ. To remember with Paul that "the greatest of these is love." To be interested less in petty scrupulosity, and more in the abundance and freedom of life which Jesus came to give to the world. To be less content to contend for our theories about Christ, and to be more filled with the desire to follow in his footsteps as "He went about doing good." We know that Christ is sufficient for China in all that she may have before her, we are none of us so sure that our theological formulas are so divinely sufficient. Shall we not rather, then, place our trust in Him and His program rather than in our theories about Him. Happily there seems to



be a wide tendency among the missionaries to do this very thing. Daily contact with the needs of the common life of China has caused them to reach down for the fundamental truths which alone can satisfy.

Again we need to have a Christianity that is intellectually fearless. A true Christian must believe that truth is never in conflict. That truth always leads to larger life and alone can satisfy. We do not need to shelter our Chinese Christians from any of the truths that modern science has to teach. To do so is to invite disaster. The Christianity, therefore, that we seek to propagate out here ought to be one that has both hands extended in welcome to every fact that turns up in the whole field of human experience. Jesus Christ is not in conflict with any truth in the modern field of thought. Let us have courage to believe this and to act upon it in all of our teaching and preaching to the people of China. Let us rejoice in every new discovery in the field of science, however much havoc it may occasion to certain religious theories we may have held. This is the Christianity we must live and attempt to communicate to others. Western knowledge and thought are bound to break in with full power upon every corner of this land. Either we must produce Christians who have a faith built on sure intellectual foundations, or we can be sure that we shall reap a harvest in broken lives.

—For Missionaries and Teachers—

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Are we doing what we should to prepare our students and our other followers to grapple with the great work of Christianizing their land if we do not do our best to equip them to serve as leaders who can face facts and who are thinkers unafraid. Men who will be able to act as prophetic interpreters to the great mass of their fellows when the hand of Western material civilization rests heavily upon their land.

Moreover, if we are to be equal to the task we must be a united force. The war everywhere is raising the question why are the Christians divided and, therefore, so much less effective? The touch which the war has brought to the Christian leaders with the great realities and the gaping needs of life has also caused them to ask themselves are the things which separate us of any significance, in view of the tremendous struggle that we ought to be waging in this day throughout the whole world against the forces of evil which are so strongly intrenched. A divided church will be greatly, if not fatally, handicapped in the battle to make China Christian. Here again we find on the horizon ample evidences of a move for greater unity. No one can consider the significance of the recent conference of the American Board, Presbyterian, and London Mission representatives; the conferences which have been held this summer at both Peitaiho and Kuling, including still other communions, without feeling that the Christian workers are preparing in China for a united work which will yield great fruitage. The growing activities which center in the China Continuation Committee are another substantial evidence pointing in the same direction. Certainly the Christian churches will have to get together in a greater working unity than they have yet achieved, not only in China, but throughout the world if they are to get sympathetic cooperation from great hosts of people who have shown in this war their willingness to sacrifice for high ideals. The world will be increasingly impatient following the Great War with any organizations that permit trivialities to stand in the way of higher efficiency in their service. From present indications nowhere will this impatience be more vigorously felt than within the churches themselves.

The heavy strain that the war has placed upon all of the nations who have fully entered into its activities has caused them also to look upon their own national weaknesses with new interest. In particular has it caused them to understand that no nation can be permanently strong which neglects to provide for its working classes with justice. A new day is dawning for the toilers of the world. The burdens of the war have fallen most heavily upon them and they are now in a position to make more effective than ever before their cry for social justice. This movement will not be confined to any one nation, and is bound sooner or later to have its manifestations in China. The question of what attitude the Christian church is to take on this question is one of fundamental importance both to the group of toil and to herself. If the church is to be true to its Leader and Founder without hesitation it ought to identify itself with the working people in their demand for a fairer share of the fruits of their labor. The Christianity which is to prevail out here must be loyal to the social implications of its Gospel. It must believe that it has a Gospel which is adequate to the whole task of building the new world. That out here in China where it is so easy to slip into a point-of-view which places a low estimate upon the value of human life, we must somehow build up a new conscience which will be in harmony with the attitude of Jesus reflected in the statement that, "it is not the will of the Father in Heaven that one of these little ones should perish." Christ came with a Gospel competent, not only to save individuals, but also adequate to the whole task of building a wholesome environment for them to live in. It is to be sincerely hoped that the war will have given much greater emphasis to this phase of the work of the church, and that here in China where we have a chance to lead in the task of social re-construction that we shall not fail of our opportunity.

Finally the war has revealed that there are capacities in the common life of the world that few people ever dreamed existed. Capacities for the endurance of suffering; and capacities for heroism. The Christian church in China must build a program that will call out the latent capacities in the Chinese people. We are asking too small things of our membership. The war demands that we trust the ability of the Chinese to pay big prices for human progress. In no way could the missionary effort fail of its opportunity more easily than that it should take upon its shoulders burdens which ought to be carried by the Chinese people themselves. After all the task of building the new and Christian China must be largely carried forward by her own people. As a missionary movement we owe it to them that we provide generous opportunities for the spirit of sacrifice to manifest itself in the Christian work of China.

In view of these and other considerations which need not be mentioned in this article, is it too much to say that one of the most interesting and vital places in all of the world to work in ought to be China during the days of re-construction following upon the close of the Great War?

Young Men's Christian Association, Peking.

Studies in Missionary Psychology

The following comments on the general subject of the effect of the War upon Missionary Work in China were written by a prominent American missionary of Shanghai who is in close touch with the general field. The impressions were written after he had examined all of the thirty manuscripts submitted in the competition:

ALL the articles are both stimulating and informing. The authors are scattered through most of the provinces, connected with a number of leading missionary organizations, and engaged in different phases of mission work; with two exceptions they are Americans. The "results" which they endeavor to point out are of two kinds: the present and the possible. They have acted upon the suggestion in the title and focussed their attention on the "possible" results; hence, in general, the articles are attempts to forecast the future rather than to summarize the present. Taken together they furnish an excellent opportunity for the study of missionary psychology.

The articles deal with *ante bellum* tendencies, *inter bellum* movements, and *post bellum* possibilities; unfortunately these three aspects of the situation are not always clearly distinguished.

Few of the points made by the writers are new; indeed, it can be said that the articles deal more with the acceleration of movements in existence before the war began than with new ones arising out of the war. This acceleration is due to the new emphasis that the war has placed upon these movements.

The arguments set forth indicate considerable diversity in the reaction of the authors to the war, which, to a certain extent, reflects the diversity of missionary opinion consequent upon the transition period through which the world in general and missions in particular are passing. This diversity of opinion, coupled with the fact that each writer has spoken individually, forbids our taking their conclusions as a sure indication of the general trend in missionary opinion. Furthermore, the limitations of the competition did not conduce to the gathering of definite data. It is not surprising, therefore, that the articles do not give much evidence that their writers were in direct touch with missionary clearing-houses, such as the China Continuation Committee, for instance. This absence of definite data will be disappointing to business men, but they should remember that forecasts in any department of life cannot easily be put into statistical formulae.

The actual results of the war upon mission work up to date, which are not prominent in these articles, may be classed as temporary and permanent. Some of the temporary results have been: the severe depletion of medical work, the almost general postponement of building operations, the reduction of the missionary staff, and sometimes the curtailment of actual work.

As to permanent results, though one must speak with caution, yet the existing plans for enlargement of Christian organizations at home might have received more consideration. Some

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definite instances of increase of self-support might possibly have been secured; the recognition of the rights of Chinese workers to equal treatment with foreigners under equal circumstances —in which regard the Peking Medical School has made definite progress—might have been pointed out.

While this collection of missionary opinions, when put together, does not point out as concretely as one might wish what general changes in mission work in China are to be expected, nevertheless they may be taken as evidence of the presence of a progressive wing among the missionaries and as indicating some of the ideas which have already affected, and will, much more in the near future, affect mission work in China. What the writers say pertains more to the effect of the force that they are feeling, upon themselves and on local problems, than upon mission work in general. In their thinking they are in advance of many missionaries, and many more Chinese connected with mission work, who still do not realize and probably do not yet admit the possibility of any great changes in mission work in China.

The articles are somewhat too subjective; hence the effect of the war upon the thinking of missionaries and upon mission work is more prominent than the effect upon the thinking of the Chinese and Chinese Christian churches. It is true that as to the actual effects of the war upon the Chinese we are still somewhat in the dark; indeed, in general, it may be said the real effect of the war upon the Chinese churches is yet to come. We cannot attempt to measure the influence upon Christian Chinese of the forces that the war has set free; yet it must not be forgotten that the only lasting effect of the war upon mission work will be that arising out of the reaction of the Chinese thereto. When the progressive ideas set forth by the writers have seeped fully into Chinese minds, and when *post bellum* literature has made itself felt, then we may look for the real effects of the war upon mission work in China; it is possible that these may be more sweeping than any hinted at in these articles. We must be ready for a change in the Chinese as great as the breakdown of militarism in Europe, though it will be a move upward, not downward. The change in Chinese Christian thinking will set the pace for future mission work, a pace that will have to be kept, unless mission work is to lose out Among other things, there will be subtle changes in ideas as to predominance in world influence, which will result in a further removal of barriers to national, denominational and individual equality and cooperation that will leave mission work in China freer than ever to live up to the real ideals of Christianity. We may confidently expect, as these writers suggest, closer organization of the Christian forces—this organization has already made much progress in such organizations as the China Continuation Committee, the China Christian Educational Association, etc., in existence before the war—a more determined desire for self-support in the churches, and greater prominence of Chinese Christian leadership. The reconstruction necessary and possible along these lines will result in progress in mission work not yet envisioned by the most radical, progressive prophet. The war has demonstrated conclusively that Christian efficiency will come through the cooperation of Christian forces, the democratization of Christian organizations, and the simplification of the Christian message. These ideas, while talked about before the war, have through the war become more vital.

Last but not least, it should be pointed out that these articles suggest a broadening of missionary activities arising out of the emerging conviction that religion has to do with every phase of life. The writers of these articles have helped us to peep through the door of future mission work in China.

The Principle and Practise of Exterritoriality in China

BY CHARLES DENBY

Former American Consul-General at Shanghai, now a Special Representative of the Departmint of State.

The following interesting and important article on "Exterritoriality in China," was written by Mr. Denby just prior to his departure for America last month. It appeared in the December issue of the "Far Eastern Review" and is reproduced in MILLARD'S REVIEW with the special permission of Mr. Denby.

FOR as old a China hand as the writer to pen anything about exterritoriality in China and its possible improvement is a very delicate task. It is necessary to begin with the statement that the writer does not purpose to suggest the abolition of exterritoriality nor the reduction in any way of its efficacy for the protection of foreign residents and foreign business. Exterritoriality is, however, one of the prominent phenomena of the relations between China and the foreign Powers, and it, like every other item of such relations, may be the subject of criticism with a view to seeing how far it fits our present conditions: how far, if at all, it has departed from the expectations of the first treaty negotiators.

There is much in exterritorial practise in China which is misunderstood. The Chinese labor under an impression, to which expression is occasionally given, that the system of exterritoriality was imposed upon them by superior foreign knowledge and power for the purpose of securing some superior status for subjects of foreign Powers in this country. Nothing could be further from the truth. In the first place, exterritoriality is not a novel feature of international relations. In some form or another it has existed for hundreds of years. It is, in fact, a feature of some of the heretofore most cherished doctrines of international law, the doctrine of allegiance, for instance, in which the individual

took with him wherever he went the binding tie of allegiance to his sovereign and with this the reciprocal obligation of the sovereign to protect his subject. Exterritoriality was a familiar feature of the laws of the Venetian Republics which provided that their citizens should carry with them in their relations with adjacent countries the protection of Venetian nationality and Venetian law. It is a familiar feature of Chinese administration itself. The Buddhist clergy enjoy to this day wherever they may go the right to appeal to certain tribunals and to be tried under certain statutory regulations.

The allegation that exterritoriality was imposed upon China against her will or without her sufficient knowledge cannot be maintained. We read in such works as S. Williams, "Middle Kingdom,"

> that much against their will the people of China had been forced into political relations with foreign Powers who had erected in China an *imperium in imperio*. The rulers of China, ignorant of the meaning of the principles of exterritoriality, were tied down to observe them and found themselves within a few years humbled before those of their own subjects who had begun to look to foreigners for protection.

And in the work of Dr. Tyau, "Treaty Obligations between China and other States," we find similar sentiments.

We have, however, the testimony of the writer of the "Life of Sir Harry Parkes" (Vol. II, page 314) that the demand for exterritoriality from the Chinese was no novelty nor was it objected to in any respect, nor was it regarded as a concession to the foreign Powers. In fact, we who have lived in China long enough to know the people know perfectly well that had the foreign Powers wished to place their subjects under the laws of China when they made the first treaties with China this proposition would not have been entertained.

In this connection there arises an interesting inquiry. What would have been the condition to-day had we placed our people in China under Chinese law and had we compelled the Chinese to so modify their laws as to make foreign residence thereunder in this country possible. It is probable that our progress would have been very great. It is even possible to imagine we would have made such improvements in Chinese jurisprudence as to be a blessing to the people themselves and to have removed the barrier which now exists between the foreigner and the Chinese.

There is another feature of exterritoriality which is misunderstood. Residents in China who have no occasion to give much thought to these things are inclined to have an exaggerated regard for the exterritorial provisions of the treaties as the basis of protection in their business and social relations. It is certain, however, when the exterritorial provisions were placed in the Treaty of 1844 between the United States and China, the first treaty in which exterritoriality was distinctly postulated, that the American negotiators as well as the Chinese had no suspicion of the extent to which this provision was to go. They did not regard China then as they do now as a possible place of permanent residence for foreigners; as a country of enormously increasing commercial development; as a country in which under exterritoriality we were to find ourselves hampered at every turn. And it is this feature of exterritoriality which is the main purpose of this article.

What do we find to-day? The merchant who regarded the treaty port as his asylum and the exterritorial jurisdiction of his government as his shield now finds himself no longer content to remain in the treaty port and to do business through his compradore. His business extends to the confines of the country; he becomes daily more directly in touch with the market throughout a continent. His representatives travel everywhere taking with them the protection of exterritoriality but far removed from any tribunal which could apply the same. The missionary has entirely outgrown exterritoriality; his mission stations are numerous, his consuls are few. In many cases he can neither sue nor be sued in treaty form without a voyage of great distance to some consular post. In return we find that he has the right to acquire property everywhere; he travels everywhere. His protection is as efficacious as though the consul accompanied him. This movement is bound to extend. We are bound to feel more and more as time goes by that our exterritoriality and our treaty ports are handicaps which we carry around with us. We are going to feel more and more that if we could get in direct touch with these markets we could afford not to sacrifice but to materially modify the practise of our exterritoriality. It is stated even to-day that there are subjects of a certain Power who regard with satisfaction these bonds which we still carry and who themselves overleap them and do business in the field outside of the barriers behind which we willingly remain. (See page 381 of Putnam Weale's "The Fight for the Republic in China.")

But this is not to suggest that we abolish exterritoriality and waive the protection of our consular courts. Is there not another way? Can we not keep the principle of exterritoriality and so modify its practise as to give us greater liberty and to maintain at the same time the fullest protection. The trouble with consular courts is this: There are a number of

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different tribunals, one for every treaty Power; the American appears as defendant in the American court, the Briton as defendant in the British Court, the Dane, French and others likewise. We have then a great variety of codes applying in the same country. We create no possibility for the development of a legal procedure in which a judicial decision will have validity as a precedent except in the particular court in which it is pronounced. We have in our treaties (Treaty of 1903, Article XV) stipulated that when China shows herself able to provide a system which can replace exterritoriality we will abolish our consular courts, but we state no time nor day nor do we in fact contemplate any time in which this may be done. We have tied down China's judicial development to an uncertain epoch which we, really, do not contemplate as a possible achievement. It would be entirely possible to establish a code of laws controlling the legal relations of foreigners and Chinese so that independent foreign consular courts would disappear and that a tribunal created by China in cooperation with all the treaty Powers could take the place of foreign consular tribunals throughout the country. It would be possible with intelligent cooperation on the part of the foreign Powers to build up a judiciary in China which could handle all the cases of the various foreign subjects with as great a certainty of justice as they are handled by the consular courts to-day.

It is not necessary to go into the details as to how this could be done. In general we could encourage China to make a code applicable to foreign relations with the Chinese; to create tribunals with foreign cooperation to assist in carrying out this code; to put this system on trial for a sufficient number of years to assure that justice was being done under the supervision of the consular authorities before relinquishing exterritorial rights. In some such way as this we could hope to establish a code adopted to our relations with the Chinese, and to train judges and magistrates capable of enforcing the same. And here occurs one thought. How can we hope that China will learn anything of the control of foreigners in judicial matters without the practise? What happens to-day is, for example, that a merchant contracts for cotton goods from a British merchant. Some dispute arises which must be settled by a British decision and it is settled by a British court. The next year the same merchant contracts for cotton goods from a merchant of another nationality. The same dispute arises as to the interpretation of the contract. The Chinese says "Well, I am sure of where I stand because I had a law suit with a British merchant last year and the court decided in my favor." He may act on this presumption and on the matter coming up again before a court of another nationality he may find the decision of the court entirely different.

It is evident that with a variety of courts functioning under a variety of codes no one can tell exactly where he stands under a judicial decision rendered in a particular court. In fact a decision far from clearing up a commercial problem may only further confuse it.

The question of sentiment comes in also in this matter. In the American treaty of 1903 it is provided that we will abolish exterritoriality on certain terms therein indicated. We have done nothing whatever to bring about the condition which will enable us to abolish exterritoriality. Are we, therefore, to assume the attitude that we will do nothing until we are forced to? Are we in effect to say to China that we are prepared to withdraw our consular jurisdiction but we are only going to do so when she is ready to force us and not when reason dictates? Are we in fact to say to China: "We abolished exterritoriality in Japan when Japan became strong enough to prevail upon us to do so. That to the appeal of might we are prepared to listen but not to the appeal of equity?"

Notes from Peking

A. Disiere, manager of the Banque Belge at Peking, gave a ball at the Peking Club last evening. Many prominent foreigners attended.

A further consignment consisting of 4,200 sheepskin coats and 300 pairs of felt boots has been shipped to the American Red Cross in Siberia.

Carl Crow and W. B. Hart, of the Committee on Public Information, who are stationed at Shanghai, are at present visiting in Peking for a few days.

Chu Chien-chen, Vice-Speaker of the Senate, has resigned from the post and Tien Yin-hwang was elected on December 4 his successor by a majority vote of 73.

David Boughton Walker, late registrar of the British Consulate, Tientsin, and now in the Administration service at Weihaiwei, is resigning to join the firm of Wilson & Company, Tientsin.

The government has instructed Dr. W. W. Yen, Chinese Minister to Denmark, by telegram to negotiate with the German authorities for the immediate release of Chinese subjects now in Germany.

Liang Chi-chiao and suite will leave for Europe on December 16 by way of Shanghai. Yih Kung-cho, former Vice-Minister of Communications, will travel together with them.

The United States government has appointed two new immigration consuls for China, namely J. W. Bennett, who will be stationed at Shanghai, and J. C. Nardini, who will be stationed at Canton.

W. Peck, American Consul-General at Tsingtao, who is spending a few days in Peking, has received a message from America stating that his brother was killed in action in France.

It has been decided to hold China's peace conference at Shanghai instead of Nanking, as formerly intended. Both the North and South will send delegates to the conference to consider the question of reconciliation.

Liang Shih-yi, Speaker of the Senate, has announced his intention to resign. This action of his is believed to anticipate the forthcoming dissolution of the parliament as a condition for the settlement of internal troubles.

It is learned from trustworthy sources that towards the end of last month, Japanese interested gave to the Chinese government Yen 47,000,000 as partial payment for the railway concessions in Shantung and Manchuria.

President Hsu has received a telegram from Tang Shao-yi urging that he should not allow himself to be influenced by the militarists in any decision which he is going to make and which will affect the peace of the whole country.

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Jesse G. Miller, a prominent American business man, is staying at the Hotel de Peking for a few days. Mr. Miller is looking over business possibilities in China, and will shortly return to the United States by way of Japan.

It is reported that the expenses for China's peace delegation have been increased to $600,000 instead of $200,000, as previously reported. The sum is said to have been advanced by the International Banking Corporation, according to the *North China Star*.

C. Gifford, of Peking, who was formerly employed in the Union Business Agency and has more recently been attached to the Dragon Auto Company, is now acting as private secretary to W. B. Pettus, director of the North China Union Language School.

The foreign legations at Peking have telegraphed to their respective consuls in the South instructing them to inform the opposition government that drastic action would be taken should there be any future interference with the collection of the Salt and Customs revenues.

The Peking Paper Hunt Club is to have its first run of the season to-morrow over a course laid out by Major A. J. D. Thomson, Commandant of the British Legation Guard. It is understood that Major Thomson will be Master of the Hunt Club for the coming year.

Forsythe Sherfesee, American adviser to the Bureau of Forestry of the Ministry of Agriculture, has returned to Peking after an absence of several months, in the course of which he made a study of the forestry conditions in the Philippines and the East Indies for the American government.

The Russian community of Peking is making a collection of clothing and medical supplies for the use of Russian refugees in Manchuria and Siberia. The work of getting these supplies together is being held under the auspices of Princess Koudacheff, the sister of the Russian Minister.

Indications come from Tokio that General Hsu Shu-cheng, or "Little Hsu," China's delegate to the Japanese Autumn Manoeuver, has managed to put through a very big deal with Japanese interests with the principal iron mining rights or the bulk of the iron output of China as security.

Baron Hayashi, former Japanese Minister to China, left Peking on Thursday. In an interview granted to the local press representatives, Baron Hayashi expressed the hope that a complete understanding and agreement would shortly be reached between the Northern and Southern leaders.

Frank L. Fearon, manager of the Tientsin branch of Fearon Daniel & Company, Inc., and Mrs. Fearon have gone to New York, sailing on the s. s. *Columbia*. During Mr. Fearon's absence, James S. Fearon, president of the firm, will manage the local affairs of the company.

Captain Wang Ken, who is a member of the Ministry of War, has been sent to Europe by the Ministry to help China's peace delegation in military matters. He left Peking on December 4. Captain Wang was graduated from Princeton University in 1914, and from West Point in 1918, at both of which institutions he made a brilliant record.

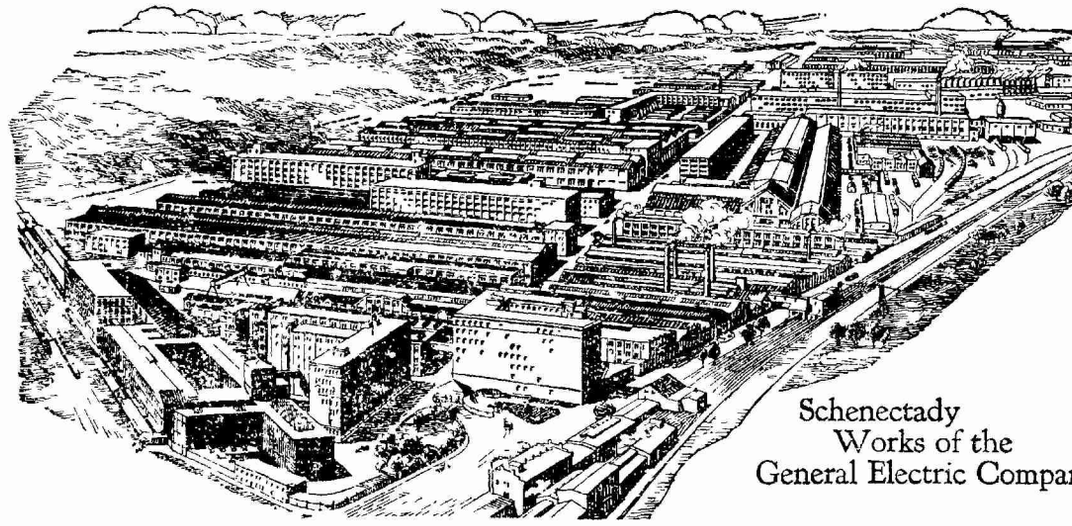
Roger Sherman Greene, resident director of the China Medical Board of the Rockefeller Foundation, is to leave Peking on a short business trip to the United States early in January. The new Rockefeller Foundation Hospital is making excellent progress, many of the buildings being already roofed. Mr. Greene is going to New York to make arrangements concerning the equipment and management of the hospital.

On the evening of December 3, the President issued a mandate ordering the Ministries of Finance and of the Interior to place the remaining opium stock at Shanghai under the custody of the Customs pending the appointment of a date for the burning of the drug. It is estimated that more than $10,000,000 worth of opium will thus be burnt.

The government has received a telegram from Hu Wei-teh, Chinese Minister at Paris, reporting that the Chinese residents in the Balkan Peninsular, which is practically under German control, have suffered greatly from the effects of the recent war and requesting that funds be raised to give them relief. President Hsu has granted a sum of $300,000 for the relief of the Chinese residents.

In connection with the Tsingtao question, the Shantung Provincial Assembly has dispatched a telegram to the government suggesting that as various complications have arisen over the question of Tsingtao since its occupation by Japan, the government should send men with good knowledge of the conditions of the locality to Europe as assistants to Lou Cheng-tsiang, China's peace delegate.

Major Menotti Garibaldi, of the Brigata Alpi of the Italian army, and formerly district engineer of the Hankow-Canton railway, is visiting Peking. Major Garibaldi arrived here from Shanghai after a long sea voyage from Europe, during which he was forced to



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transship five times. Although he would not state where he is going it is believed that he will report for duty with the Italian forces now in Siberia. His grandfather was Italy's national hero, Guiseppi Garibaldi.

Dr. Paul S. Reinsch, the American Minister, has communicated to President Hsu Shih-chang early this week the pleasure with which the American government learns of President Hsu's decision to have all the opium now held by the Chinese government destroyed, an action which is regarded by the American government as a proof of the serious determination of President Hsu to use his power for the true welfare of his country.

Ma An-liang, a great Mohammedan general in Kansu, has recently died. A mandate was issued on December 3 in recognition of his long services. It states that the campaign which General Ma had conducted in suppressing uprisings on the frontiers will long be remembered by the nation and that the news of his death has "filled us with sorrow." A sum of five thousand dollars has been granted for the funeral expenses of General Ma.

The official announcement of the Japanese government that it has decided to withhold such financial assistance to China as is likely in its opinion to add to the complications of China's internal situation, believing that this policy will be cordially participated in by all the Powers interested in China, is welcomed by the people in general, but it is an official admission on the part of Japan that her loans liberally made to China have been responsible for the latter's prolonged civil strife.

Peking, December 7, 1918.

07-066

Who's Who in China

Dr. Wu Lien-teh, Director and Chief Medical Officer of the Manchurian Plague Prevention Service and Physician Extraordinary to the President of China, was born of Cantonese parentage in 1879 and received his early education in the Straits Settlements, where he achieved a brilliant record and was sent by the government to continue his studies at Cambridge and London. Here Dr. Wu (or G. L. Tuck, as he was known then) won a great reputation both as a student and an original investigator, and was awarded a long list of prizes and honors in general science, surgery, clinical medicine, pathology and bacteriology. He took his B. A. (Cambridge) with first class honors and received the gold medal for clinical medicine. His old college gave him a travelling scholarship for two years to prosecute research work in Liverpool, Paris, Germany and the Malay States, as a result of which he contributed much scientific information to the literature of tetanus, beri-beri, aortic worms and malaria.

Dr. Wu was engaged in private practise in Penang from 1904 to 1908, after which he joined the Chinese government service at the invitation of the late President Yuan Shih-kai, and became vice-director of the Peiyang Army Medical College. The sudden outbreak of pneumonic plague in Manchuria gave Dr. Wu a fine opportunity to display his constructive gifts, and the success with which he accomplished that difficult and dangerous task

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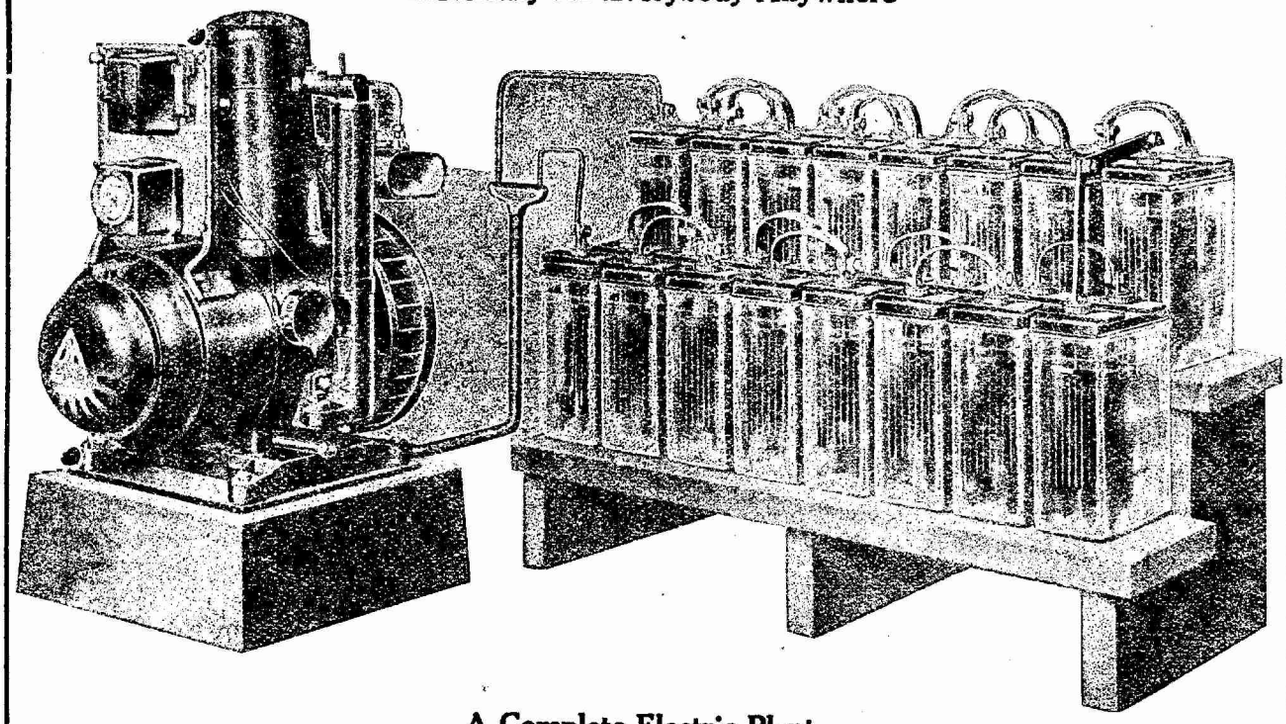

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won for him an international reputation. At the end of the epidemic the Chinese government called an International Plague Conference to sit at Mukden, and Dr. Wu was elected chairman of that noted assembly of world scientists.

Dr. Wu also represented China at two Hague Opium Conferences (1912 and 1913), the International Congress of Medicine, London, and the Congress of School Hygiene, Buffalo (1914).

The successful establishment of the Peking Central Hospital in 1918 was largely due to the unstinted efforts of Dr. Wu, supported by staunch friends like S. T. Sze, Chou Hsueh-hsi, Tsao Ju-lin, Liang Chi-chao and others.

Dr. Wu also possesses the Honorary Degrees of LL. D. (Hongkong), Litt. D. (Peking), and is a Fellow of the British Royal Institute of Public Health, Society of Tropical Medicine, and a member of other learned societies in Great Britain, China and Japan.

Week's News Summary

THE ARMISTICE

December 3. The German Socialist paper *Vowaerts* emphasizes that if acceptable civil order is not established in Germany, the Allies will occupy the country.

December 4. The German ex-Crown Prince, in an Associated Press interview, states that he opposed the declaration of war by Germany and also that he had not renounced the throne.

December 5. Germany hands over to the Allies Frs. 300,000,000 in gold exacted from Russia; French artworks to a value of £80,000,000 are also handed over.——Germany is called upon to pay 90,000,000 marks for the maintenance of the British and French armies' occupation during the first month.

December 6. Dr. Liebknecht predicts that a wave of Bolshevism will sweep from Berlin to the Rhine, carrying everything before it.——The Belgian troops on entering Aix-la-Chapelle enforce the same military regulations as the Germans previously did when occupying Belgian cities.

December 7. Allied troops cross the Rhine at a number of points, the Belgians occupying Crefeld and the French Mayence.——The new German government states that they will not oppose any demand for the production of the ex-Kaiser and ex-Crown Prince at the Inter-Allied Court.

December 9. Bolshevik outbreaks occur in various parts of Germany; disturbances occur in Coblenz and Cologne, the former being occupied by American and the latter by British troops.

December 8. Dr. Liebknecht, Germany's militant Socialist, and the head of what is known as the Spartacus group of extremists, attempts a *coup d'etat* in Berlin against the new German government, but is utterly routed; both sides made use of machine guns.——Lloyd George announces that Great Britain's bill against Germany will be £8,000,000,000.

December 10. An Associated Press despatch states that it is probable that President Wilson will not be present in the conference chamber at the Peace Conference, but will be represented by the American delegates.——Herr Liebknecht threatens to overthrow the present German government within a fortnight.

December 11. Testimony given in the House of Representatives at Washington discloses the fact that America would maintain 29 battleships in active service till after March 1, 1919.

CHINA

December 6. The Chinese government demands the recall of the Dutch Minister to Peking because of his pro-German activities.——The British, French, Japanese and Russian legations in a note to the Chinese government regarding the gold-note scheme refuse to admit the Chinese contention that the question is merely an internal one and aver that the scheme will increase confusion in China's currency. ——The Group Banks hand over to China a further $4,500,000 surplus salt revenue.

December 9. Mr. Obata, the newly-appointed Japanese Minister to China, will not receive a very warm welcome in Peking and a Reuter's telegram states that his appointment is considered as a direct contradiction of the recent pronouncement of Japan regarding her change of policy.

December 10. A despatch from San Francisco states that R. Morse, of the Marconi Company, is on his way to China to install 200 wireless telephone systems throughout the country under contract with the Republic of China.

GENERAL

December 3. President Wilson sails from New York for Europe on board the s. s. *George Washington*, accompanied by Mrs. Wilson, Robert Lansing, Henry White, Rear-Admiral Grayson and others.

December 4. Colonel Roosevelt in a speech declares that Great Britain needs the most powerful navy with the United States second; the phrase "freedom of the seas" could not be interpreted to prevent the British Navy from rendering the same services in future as it did during the present war; he said Britain must keep the conquered German colonies.——In the British General Election 107 unopposed returns are announced; there are 256 soldier candidates for election.——The annual report of the U. S. Treasury shows that America's war expenditure up to June 30 next is estimated to total G. $13,222 millions, nearly half of which represents permanent investments such as ships, shipyards, military buildings and loans to the Allied or to American war industries; the loans to the Allies total $4,739 millions.

December 6. The influenza epidemic in France increases in violence, 184 deaths occurring in Paris and Lyons within a week; the hospitals are full.—— A representative of the British cotton spinning strikers states that 40 companies last year made 34 per cent on their share capital.

December 7. Reports from Russia show that the pogrom against the Jews has been in progress for some time; up to the present 956 victims are stated to have been buried at Lemburg.——100,000 Lancashire cotton operatives go on strike for an increase in wages.——To-day is being observed throughout America in schools, churches and other public places as Britain's Day in order to express thanks to Great Britain for her share in insuring the liberties of the world.

December 10. The Commercial Pacific Company asks an injunction to restrain U. S. Postmaster

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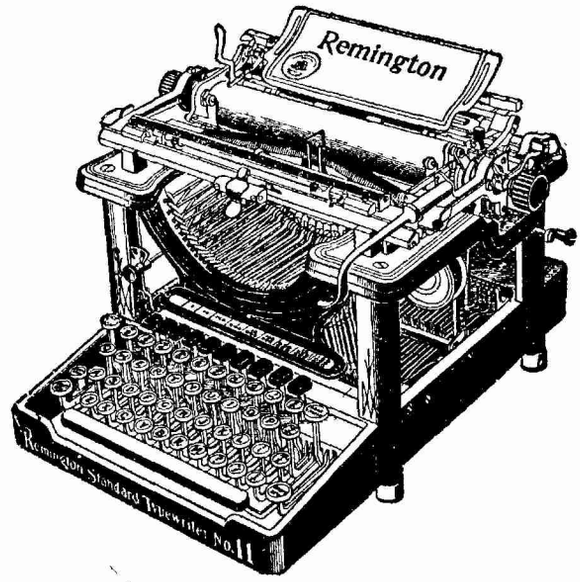

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Burleson from further control over its cables from San Francisco to the Far East.——An official summary of the results of the influenza epidemic in American army camps and military centers up to December 1 shows there were 338,297 cases and approximately 17,000 deaths.

December 11. In a statement made at San Francisco the president of the California State Brewers' Association predicts a general exodus of brewers from the United States to China; he himself is coming to erect a G. $2,000,000 brewery.

America

In an effort to suppress influenza, an order was issued in Chicago for the arrest of every person found coughing or sneezing without using a handkerchief.

According to news received from Washington, the American Red Cross workers throughout the war have knitted 14,089,000 garments for the army and navy.

Southern California's bean crop during the year of 1918 will exceed 8,000,000 bushels, valued at G. $4.50 a bushel. Last year California produced more than half the beans in the United States.

Men and Events

K. Mikimoto, a Japanese pearl and jewelry store in Shanghai at 31 Nanking Road, was robbed of Mex. $60,000 worth of pearls, diamonds and other jewelry on Monday night, December 11. It is understood that the shop's stock was largely covered by insurance.

R. T. Burge, president of the Gulf Coast Fruit & Steamship Co. and representing the Department of State, Washington, D. C., spoke on "Christianity from the Business Man's Viewpoint" on Sunday, December 8, in the Martyrs' Memorial Hall, 120 Szechuen Road.

Charles S. Bishop, general secretary of the Kansas City Y. M. C. A., will speak at the Sunday Service League on Sunday, December 15, at the Martyrs' Memorial Hall, 120 Szechuen Road, Shanghai, at 5 p. m. His address will be, "Some Hints and Suggestions from the War."

The November issue of the St. John's *Echo*, the monthly magazine of St. John's University, contains interesting articles on the following subjects: "Hsu Shih-chang—the New President of China," "Importance of Chemical Engineering in China," "Travels in Szechuen," "Causes of the Civil War in China" and other interesting contributions.

E. A. Perkins, who has recently arrived in Shanghai from Manila where he has been practising law for the past ten years, and N. E. Lurton, United States Marshal, were admitted to practise in the United States Courts in China before Judge Charles S. Lobingier in the United States Court for China on Monday, December 2.

The Rhetoricals of the 6th year class of Foochow College was held on October 26. The subject of the Rhetoricals was "What I would do if I were —," each student taking that as their general subject having three minutes for discussion. Some of the various discussions were on the following subjects: What I Would do if I were President of China, The President of Foochow College, An Old Chinese Teacher, A Government Official, A Naval Officer, An Editor, A Business Man, and other subjects.

Rev. Frank Rawlinson will address the American Song Service Sunday afternoon, December 15, at the Palace Hotel at 5 o'clock. This is the second of the series of talks Dr. Rawlinson is giving before the American Song Service. There will be a special program of music. On Sunday, December 22, plans are being made for a special musical service to be given.

The Philippine National Bank, a new banking institution to do general banking business, will open branch offices in the McBain Building at No. 1 The Bund, Shanghai, on January 15, as announced by Francis V. Reilly, manager of the institution. The Philippine National Bank, with its head office in Manila, maintains branches in New York, Manila, Cebu, Iloilo and Coregidor.

Suit for G. $3,038.58 and Tls. 5,259.66 with interests and costs has been filed in the United States Court for China against Muller, Maclean & Company, incorporated at New York, by James Harvie and Leslie W. Hutton of the British firm of Harvie, Cook & Company of Shanghai. Jernigan, Fessenden & Rose are council for the plaintiffs. Since the defendant firm has no representative at present in China, service is asked by publication.

Notes from Tsing Hua College, Peking: Prof. Albert Heinz of Tsing Hua College, who is now in Y. M. C. A. work in Siberia, is having his entire salary and expenses paid by the Chinese government, and his colleagues at the college are conducting his classes. In the recent campaign for funds for the United War Work fund, the students in Tsing Hua College contributed Mex. $2,700, agreeing to deprive themselves of certain articles of food to make up the sum.

Verdun Garden, the former grounds of the German Country Club, in the French Concession of Shanghai, was publicly sold at auction on December 12. The sale was made by order of the French Mixed Court. There were three bidders for the property and the bidding started at Tls. 80,000. The property, which was more than 60 mow in extent, was purchased by the French Municipal Council for Tls. 95,000. It will be maintained by the French for the purpose of a public garden.

The Central Committee of the American Red Cross at Shanghai has received a letter from the headquarters of the *Red Cross Magazine* at Garden City, New York, that the great increase in circulation from 240,000 to 1,300,000 in less than a year and the congestion of railroads in America has resulted in many subscriptions being delayed. Persons in China who have not received their subscriptions are recommended to communicate to Red Cross Headquarters, 18-b Kiangse Road.

In the *Municipal Gazette* for December 12 there appears considerable correspondence between Dean A. J. Walker, secretary of the Shanghai Moral Welfare Committee, and the Shanghai Municipal Council. The Shanghai Moral Welfare Committee, which is represented by the following executive committee, Dr. Frank Rawlinson, Mrs. L. E. Canning, L. E. Canning, Rev. J. W. Crofoot, Rev. K. Fugita, Rev. I Mason, Rev. Evan Morgan, Dr. Margaret Polk, S. K. Tsao, P. B. M. Lake and Dean Walker, is beginning a campaign of education in behalf of better moral conditions in Shanghai. The campaign will consist of the wholesale distribution of pamphlets in the English, Chinese and Japanese languages on the subject of "Commercialized Vice and its Effects on the Community."

07-070

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07-071

At the annual meeting and dinner of the American University Club, Shanghai, to be given at the Columbia Country Club on Saturday evening, December 14, more than 100 guests are expected, American and Chinese graduates of American colleges. The various college groups will be seated at separate tables, each of which will be decorated with individual college colors, pennants and banners. College songs and yells will be given between courses, officers for the ensuing year will be elected, and a proposed amendment to the club's constitution will be voted upon.

At a meeting of the Society for Constructive Endeavor on Tuesday afternoon, December 10, a memorandum was signed by more than twenty foreign and Chinese organizations, asking for supervision over the destruction of opium to be burned shortly in Shanghai by the Peking government, this to be presented to the two government deputies, Shao Chi-chang and Wang Cheng-chia, at a reception to be given Friday afternoon at the Chinese Y. M. C. A., 120 Szechuen Road, at 5 o'clock. C. C. Nieh, president of the society, presided over the meeting and brief talks were made by the Rev. I. Mason and David Z. T. Yui.

John L. Childs, of Peking, who was awarded first prize in a recent competition of the REVIEW for the best article on the subject "Effect of the War on Missionary Work in China," wrote the REVIEW on December 7 as follows: "Your letter enclosing check for $50 as first prize has been received. I wish to thank you for the same and I know that you will be glad to learn that I have put it into the United War Work campaign fund, which seemed to be the most appropriate place to invest it. May I personally express to you my appreciation for the able service your magazine is rendering China. You seem to see clearly on many vital issues and have the power to help others see clearly also, which is mighty important right now."

The best selling book in China to-day is the little volume containing President Wilson's principal war addresses. This book was compiled by Carl Crow, who represents the American Committee on Public Information, translated by Dr. Monling Chang and published by the Commercial Press. The first printing was about three weeks ago and since that time the Commercial Press has been busy trying to keep up with the demand. Sales in Shanghai have been so large that it has been found difficult to stock the branches of the Commercial Press and orders at present are only filled in part. A second edition is shortly to be issued. The book met with a remarkable response from Chinese readers, who accept it as the authoritative explanation of the issues for which the Allies waged war against Germany.

Ernest A. Yarrow and Henry S. Leiper have returned to Tungchow from Siberia, where they have been engaged in Red Cross and Y. M. C. A. work. Mr. Yarrow, who was formerly director of the work of the American and Syrian Relief Committee and the American Red Cross in the Caucasus, has been ordered by the former committee to proceed at once to Turkey for reconstruction activities. For fourteen years previous to the war, Mr. Yarrow was a missionary in the educational work of the American Board in Turkey, and he is at present loaned by the board for war work. His wife and five children, who have twice been compelled to flee before the Turks and Germans, are living this winter in Tungchow. Mr. Leiper is a missionary of the American Board in the North China Mission and will spend this year in the Union Language School, Peking.

American Industrial Films to be Shown Here

The first of a series of moving-picture films showing the operation of the larger American industries will be exhibited at the Olympic Theater, 127 Bubbling Well Road, on December 18 at 9.15 p. m. The exhibitions are to be held under the auspices of the American Association of China. The object of the exhibitions is to present to the Chinese and foreign communities of Shanghai in as vivid a manner as possible some of the facts concerning the product of American industry, business methods, manufacturing processes, engineering operations, etc. The films that have been selected for exhibition here are from industries that have special application and interest for China and a special effort is being made to encourage as large an attendance as possible on the part of the Chinese business community of Shanghai. Applications for tickets should be sent to A. S. Goldsmith, Secretary of the American Association of China, care of the American Club, 33 Nanking Road.

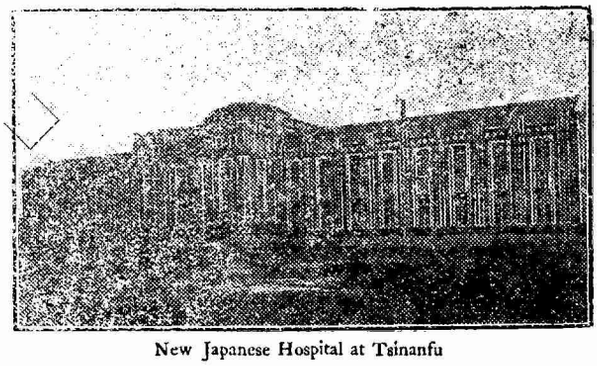
Major Willard Straight Dead in France

Major Willard Straight, one of the best known of American business men interested in the Far East, died in France on December 1 of pneumonia. Major Straight had been with the American army in France since December 1917. Few Americans were better known in the Far East and few had worked more constantly for the development of American trade and interests in this part of the world. Mr. Straight was the son of a college president and a mother who was a teacher in the Far East. He was only 39 years of age and his accomplishment in both business and official life have served as an inspiration to his fellow men. He was a graduate of Cornell University in 1901 and while at school came under the influence and inspiration of Professor Henry Morse Steven, then occupying the chair of Modern and European History but who was closely in touch with Asiatic affairs. In 1902 Willard Straight was appointed to a position in the Chinese Maritime Customs service. He learned the Chinese language and served under Sir Robert Hart until 1904, when be resigned to become a correspondent in Korea, Japan and Manchuria during the Russo-Japanese War. At the close of the war he was appointed an American Vice-Consul and from 1906 to 1908 he served as American Consul at Mukden, after which time he was promoted to be Chief of the Division of Far Eastern Affairs of the Department of State at Washington. It was through his influence that American bankers became interested in the original Banking Consortium for financing China and in 1909 he came to China as the representative of the American Banking Group. In 1913 when the American government changed its policy regarding loans to China Mr. Straight assisted in organizing the

American National Foreign Trade Council for the purpose of encouraging the development of a sound foreign trade policy on the part of the American government. Mr. Straight also had other interests outside of business. He was instrumental in forming India House, the well known club in New York which includes in its mempership representatives of the larger American interests dealing in foreign commerce. He was instrumental in organizing the magazines *Asia* and the *New Republic*, and is said to have been interested in encouraging American journals in the outports. In 1911 he was married to Miss Dorothy Whitney, the wedding taking place at Geneva, Switzerland. Their wedding was the culmination of an interesting romance since they had met in the Far East while Miss Whitney was making a tour of this country. At the time of his death he was vice-president of the American International Corporation at New York. He is survived by his wife and three children.

Japanese Open Large Hospital in Tsinanfu

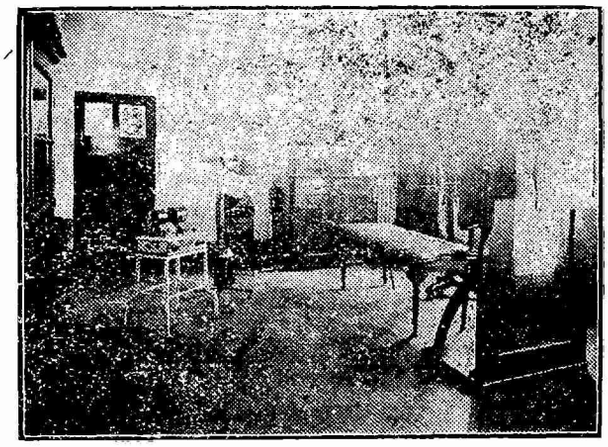
Since the article on the foregoing subject was written, the following appeared in the "North China Star" at Tientsin. A perusal of this editorial comment in connection with the description of the modern hospital that the Japanese have erected at Tsinanfu sheds considerable light on Japanese plans for the Chinese province of Shantung: "The powerful wireless station and large barracks built by the Japanese between the Tientsin-Pukow R. R. Station and the Tsinan-Tsingtao R. R. Station are practically completed, as also the large parade ground levelled on the land seized from the Germans near the Deutsche-Asiatische Bank. The barracks are handsomely built and commodious enough to house many times the number of Japanese soldiers ordinarily quartered here. Naturally, there is much speculation regarding the motive of this construction. It will be hardly possible for Japan to find pretext to quarter a large military force here, but the Japanese are not usually credited with erecting buildings which they do not intend to use. The Shantung Railway Hospital is soon to be opened for patients, and the railroad has purchased two residences from an English subject for physicians' residences. Japanese building goes on apace, and is not confining itself to one section, but spreading over all quarters of the Settlement, while several of the most desirable German residences have recently been transferred to Japanese hands."



New Japanese Hospital at Tsinanfu

WHAT is possibly the most modern and very probably the best equipped hospital in China was opened for patients in the provincial capital of Shantung on Monday, November 11, 1918. Originally, the Shantung railroad was to have financed this institution; but since the railway did not have sufficient funds to develop it rapidly, the civil administration of Tsingtao undertook the financing. The official opening ceremony took place on Sunday, November 3. Dr. T. Makino, director of the Tsinanfu hospital, had charge of the ceremonies. The principal address of the occasion was delivered by Colonel Dr. A. Umasugi, of Tsingtao, who is director-general of the eight hospitals the Japanese government is maintaining in the province of Shantung.

The new hospital is 250 feet long and two storeys high; it also has a basement and an attic, the latter of which is used as living quarters for the nurses. Stone was used for the foundation and brick for the main building, which is faced with "rough cast" in imitation of concrete. This plant with its spacious grounds, covering 27 acres, well laid out and already planted with trees will some day present a very imposing sight. Within these walls we find almost everything a physician or a surgeon could desire. There is a well stocked apothecary, apparatus both for distilling and also for sterilizing water, machines for mixing medicines and for making pellets, apparatus for sterilizing bandages, etc. The equipment of electrical apparatus is also very complete. The hospital possesses a Wantz X-Ray apparatus, a "pantastat," a diathermometer, a Heracus sun lamp (quartz lamp), an electric light bath, machines for treating paralysis, etc. Nearly all of this apparatus was purchased in the United States.



Modern X-Ray Room

Seven specialists constitute the medical staff; of these two are surgeons, one is an oculist, one a specialist in childrens' diseases, one a dermatologist, one a gynecologist, and one a specialist in internal medicine. Besides these there are three druggists, one dentist and twenty-six Japanese and two Chinese nurses. The hospital opened with forty beds, the majority of which are beds in third class wards. There are, however, a few second class wards and also several first class or private rooms. The management hopes to have three hundred beds at its disposal in another two or three years. Up to date this plant has cost $200,000. According to official sources this is the beginning of a medical school and it will cost $1,000,000 to complete the plans. With such a well equipped institution the Japanese can render the Chinese an incalculable service. Although the hospital has been open for only a few days the Chinese are already beginning to avail themselves of this opportunity.

Women's Work

Miss Anita Leonard, Corporal in U. S. Navy

American women have gone into many phases of war work to help America and the Allies win the fight for democracy and righteousness, but it remained for Miss Anita Leonard of New York to actually enlist in the U. S. Navy. Her brother, W. A. Leonard, was killed in action in Flanders and upon hearing the news she enlisted in his place and is now in service in New York City.

American Woman's Club Gives Luncheon

More than 100 guests and members of the American Woman's Club of Shanghai were present at a luncheon given on Wednesday, December 11, to Mrs. Charles S. Lobingier, who has recently returned from America, and Mrs. J. F. Seaman, who is departing for the States at an early date, at the Columbia Country Club, 50 Route Doumer. Mrs. W. H. Lunt, president of the club, presided over the meeting and introduced Dr. J. B. Fearn, who gave the first toast on "An Old China Hand." During her brief talk Dr. Fearn remarked that the luncheon was celebrating the club's twentieth anniversary and told how the American Woman's Club had grown from the small organization known as the American Woman's Literary Society formed in the drawing-room at the American Consulate 20 years ago. It was in 1906 that the society was reorganized into the present known American Woman's Club with its four departments, Literary, Social, Musical and Philanthropic. Mrs. William Morris followed Dr. Fearn's talk with an original poem on "A Woman's Call to the East," which contained many valuable facts of what the woman to-day can accomplish. Madame Hedvige Zaleska, a celebrated Polish pianiste, who is perhaps known as one of the greatest Chopin interpreters, gave several selections. Other talks were given by Mrs. J. J. Connell, Mrs. H. A. Wilbur, Mrs. F. J. White on "Our Honored Guests," and Mrs. Julean Arnold, who spoke on "The Chinese Home in China," telling in her remarks how the Chinese woman is eager for the companionship and sympathy of the American woman, who can do this better than any one for the Chinese woman understands what America has done for China; she wishes to learn about the home from the American woman and the time is ripe when the American woman in China can show a sympathetic willingness on her part to help. Mrs. F. J. White, of the Shanghai Baptist College, in conclusion told how Mrs. Lobingier had been connected with club work in Manila before coming to Shanghai and no woman perhaps is better known in the Philippine Islands and Northern China for making clubs active and aggressive. Mrs. Seaman, who is well known in Shanghai as a member of one of the first missionary families to settle here, is leaving for the States, and many institutions have been caused to be formed by her parents, Dr. and Mrs. Yates. Miss Seaman replied for her mother, and Mrs. Lobingier gave a poem and extended thanks to all members and committees connected with the club.

Musicale Given By Mrs. Robinson

More than 100 persons were present at a musicale given by Mrs. B. Atwood Robinson in her apartment at the Astor House Hotel on Monday afternoon, December 9, at 5 o'clock, The following program was given by Mrs. Powell, Miss Macleod, Mrs. Armistead and Dr. Billinghurst:

Trio for Piano, Violin, 'Cello in D. Minor..... ..... *Mendelssohn*

Mrs. S. J. Powell, Miss Macleod, Dr. Billinghurst.

Songs

(a) One Fine Day ..... *Puccini*
(Madame Butterfly)

(b) I Think ..... *d'Hardelot*

(c) Fairy's Lullaby ..... *Needham*

Mrs. Isherwood.

Mrs. Armistead—Accompanist.

Piano Solos

(a) Spring ..... *Mirovitch*

(b) Arabesque ..... *Debussy*

Mrs. Powell.

Song Cycle—The Life of a Rose... *Liza Lehmann*

Mrs. Isherwood.

$8,000 Subscribed to Y. W. C. A. Campaign

A total of more them Mex. $8,000 was the result of the annual budget campaign conducted by the Young Women's Christian Association during the past two weeks. The work was divided into 10 teams, each team having a leader, and about fifty Chinese and foreign workers were represented on the teams. The team with Mrs. Charles S. Lobingier as leader secured the largest amount of money, and three captains, Mrs. W. Y. Sung, Mrs. H. C. Mei and Mrs. D. Y. Lin, were second in securing the most subscriptions. The total amount to be raised in the campaign was Mex. $6,500, making this amount over-subscribed by $1,500.

Women and Events

Announcement has been made of the marriage of Miss Gertrude Louise Terhune, daughter of Mr. and Mrs. E. A. Terhune of Boston, Massachusetts, and A. D. Stewart, of the Standard Oil Company, Shanghai, at Yokohama on November 14. Mr. and Mrs. Stewart have returned to Shanghai after a month's wedding trip spent in Japan, and are now staying at the home of Mr. and Mrs. W. A. Reed, at 667 Rue Ratard.

More than $1,000 was raised as a result of Saturday's sale of work in aid of Limbless Soldiers and Sailors held in the Union Church Hall Saturday afternoon, December 7, at 3 o'clock. Tea was served and the admission fee was $1.

A regular monthly meeting of the Shanghai W. C. T. U. was held in the Union Church Hall on Thursday, December 5. The Rev. J. W. Crofoot addressed the meeting on "War and Drink in the U. S. A."

The marriage took place on Saturday, December 7, at the Union Church of Miss Janet Burnside Taylor, of Shanghai, to Thomas Lee Jackson, of Bangkok, Siam. Mr. and Mrs. Jackson departed for a short wedding trip to Peking.

A large audience was present at an organ recital given on Monday, December 9, at the Union Church, Shanghai, by Miss Lydia Brown of Nanking, and Miss Myra B. Olive of Soochow.

The Hungarian Republic, it is reported, has appointed a woman, the feminist writer Rosika Schimmer, as Minister to Switzerland.

Alice and Margaret Wong, two Chinese girls of Portland, Oregon, have been employed by one of the leading hotels there as pages. The girls wear their native costume and act as pages to the guests as they are wanted.

The daily mail of Paris, France, recently printed the following: The necessities of war chemistry have led to a great scarcity of peroxide of hydrogen, generally used for producing the golden tint known as "peroxide blond." Many women who were blond in opposition to the intentions of nature have had to come out in their true colors.

The following news note ran in a Lincoln, Nebraska, daily paper: "Neither the law of God nor the law of man—at least in Nebraska—prevents women from wearing men's clothes when engaged in war work, as ruled by the Attorney-General." This opinion was given to a minister who wrote Governor Keith a letter saying the wearing of men's garments by women was against Bible doctrine and asking if it was contrary to state law.

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Correspondence

Chinese Railway Schedules and the Bandit Question

EDITOR, MILLARD'S REVIEW:

The advertisement in the papers of a change of schedule on the Tientsin-Pukow railway must have impressed many readers as being matter for the funny column. The reason given for the change was that the region around Hsuchow and Hanchuang being infested by brigands it is no longer safe to traverse that part of the line at night and the change is made so that those places will be passed by daylight. It also becomes necessary in order to make convenient hours for arrival and departure at both ends of the line to add several hours so that it now requires 36 hours to make the trip from Pukow to Tientsin while formerly 26 hours accomplished this 630 miles. Witness this spectacle of a great government railway changing its time and putting the travelling public to great inconvenience simply because of some robber bands that ought to have been put out of business months ago by the government troops. Moreover, if the brigands really mean business it would not be a difficult proposition to drop down the line to a point now passed during the night; in fact the new schedule requires two nights *en route* instead of one, thus offering especial opportunities for the brigands. Bloody stories continue to reach us of terrible atrocities committed by the brigands reminding one of the months before the Boxer troubles and it would certainly seem the part of wisdom for the Western governments to give this question attention before more serious results come.

PERRY O. HANSON.

Taianfu, Shantung, China, Nov. 22, 1918.

Far Eastern Press Opinion

The Growth of Sino-Japanese Trade

From the "Manchuria Daily News" (Japanese-owned)

The increase of trade between China and Japan will show that the economic relation between the two countries is being brought closer. Since the outbreak of the European War, China has gone through a chain of political vicissitudes and natural disasters, and also the shortage of silver coins has tightened the money market, considerably stunting the economic development of the country. But the advance of silver has increased the purchasing power of the Chinese, and with the gradual cultivation of a better understanding between the peoples of Japan and China, the trade has made a very favorable progress. The exports to China in 1916 were Yen 220,000,000, but increased to Yen 384,000,000 in the next year. The imports from China also increased from Yen 142,000,000 to Yen 186,000,000. In four months from January to April, 1918, the exports to China were Yen 139,000,000 and the imports Yen 97,000,000, showing an increase by 30 per cent in export and by 110 per cent in imports, over the figures of the corresponding period of last year. But the Chinese trade with foreign countries has decreased since the outbreak of the war, as shown by the Customs revenue. In 1913 the total Customs Revenue was Tls. 43,969,852, but in 1917 it fell to Tls. 38,189,428. Thus the effect of the war on the Chinese foreign trade has redounded very favorably to Japan. Silk and cotton yarns which are the staple exports from Japan to China take up half the total export amount, and in 1916 the amount was Yen 105,000,000, but in the next year it was increased to Yen 183,500,000. Among the import articles from China, bean cake increased from Yen 30,000,000 to Yen 40,000,000, raw cotton from Yen 20,000,000 to Yen 30,000,000, iron ore from Yen 8,000,000 to Yen 17,000,000, and beans from Yen 7,000,000 to Yen 9,000,000.

From the above it may be seen that the import from China of various raw materials for industrial uses has shown a steady increase, and on the other hand manufactured goods are exported to China in a far larger amount. The trade between Manchuria and Japan proper through Dairen has also made a remarkable increase. Last year the total trade was Yen 170,000,000, but this year it is expected to be over Yen 200,000,000.

Japanese and the Chinese Eastern Railway

From the "Peking Times" (Chinese)

Without any proper arrangement with either the Russian or the Chinese authorities, about 2,000 Japanese troops are now stationed along the Chinese Eastern railway. On account of this, the Japanese have practically monopolized the said railway and complaints have been heard from foreign Red Cross and Y. M. C. A. workers in both Manchuria and Siberia because their goods have been allegedly discriminated against in favor of Japanese "troop" trains with Japanese merchandise cars attached thereto. It appears that for the sake of Allied interests, the matter should be discussed by all interested parties without further delay.

The Return of Tsingtao to China

From the "Peking Leader" (Chinese-owned)

In addition to an interpellation from the members of parliament of Shantung as already reported, the following telegram from the provincial assembly of the same province demanding the return of Tsingtao as well as all railway and mining rights, etc., has also been received by the Chinese government:

"Under threat of force our government entered into an agreement with the Germans for the lease of Tsingtao together with all railways and mining rights, etc., thereon. Since the Germans have been driven out of Tsingtao by the aid of our allies—the British and Japanese—and our country is one of the co-belligerents, all rights and privileges granted to the Germans under that lease should be abrogated. Moreover, in its Note to Germany Japan mentioned that it was her intention to return to China the whole territory of Tsingtao. Now that the Allied Powers have achieved a final victory and our government is about to send representatives to attend the peace conference, this assembly on behalf of the people of Shantung humbly pray that the question regarding the return of Tsingtao, together with all railway, mining rights, etc., be submitted to the peace conference for solution so that it may be restored to our country. This matter concerns not only this province but bears vitally on the peace of the Far East. (Seal of the Provincial Assembly of Shantung)."

"China Should Know Herself First"

From the "Kokumin" (Tokio)

"Autonomy of nationalities" is one of the catch phrases often repeated regarding the *post-bellum* reconstruction of the world. Chinese politicians, smart and diplomatic, are now trying to find out something useful in that phrase—something which may be used as a pretext to cancel foreign concessions in China. But they must realize that the principle expressed in the so-called autonomy of nationalities or races is to be applied only to the settlement of the affairs of Central Europe, where there have been many nationalities and races struggling for their independence under the tyranny of the Hapsburgs. If, otherwise, the principle should be made applicable to all other nations and races of the world, the result would be indeed serious. Great Britain should then grant autonomy to India; Indo-China should be independent of France; while the independence of the Philippines would also be unavoidable. Yet even these are not so serious when compared with the situation that would arise in China as the result of the application of that principle. In fact, if all the different nationalities and races in China should become independent, where would we find the Chinese Republic? China should know herself first.

It Wasn't "Righteousness" After All

From the "Kokumin" (Tokio)

The Allies' victory is not a victory of righteousness over power, but a victory of power over power. In other worlds, a power, great, numerous and complex, defeated a power, small in numbers and simple. Mr. Wilson, eloquent as he is, could not be able to carry out anything without power. In fact, America's unexhausted natural resources and 1,500,000 men at

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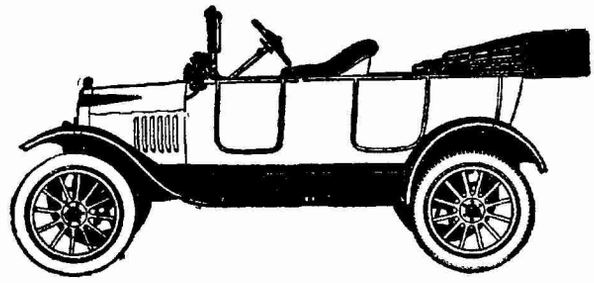

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the fronts have turned Wilson's eloquence into a mighty power. Power does not necessarily mean military forces. The wealth of a nation is power. So are the energy and vigor of a nation. Power of a nation should not be represented merely by the sovereign of the nation. It must be represented by the nation itself. Germany was defeated because she thought that military forces are power itself, while the Kaiser was the only representative of Germany's power.

Condition of the Chinese Labor Corps in France

BY HOLLINGTON K. TONG

Several interesting reports regarding the Chinese artisans and laborers in France have been submitted to the cabinet by the Labor Emigration Bureau, of which Chang Hu, former Vice-Minister of Finance, is director. One report states that the number of Chinese sailors and laborers who lost their lives on the sea in consequence of Germany's submarine warfare is 752, according to the latest investigation. Of this number, 109 were sailors. Five hundred and forty-three Chinese coolies were drowned on February 17 when a French mail boat carrying them was torpedoed in the Mediterranian Sea. There were minor losses of life on other occasions.

Another report states that something like 200,000 Chinese artisans and laborers are now working in France, although the exact figure is not available at the present moment. The British government has sent 100,000 of them to France. It has established labor recruiting bureaux at Weihaiwei and Tsingtao. At first it decided to employ 150,000 Chinese laborers, but within a period of six months, from April to the end of September 1917, over 50,000 of them were sent to France to work in the different factories for the manufacture of war materials, and the number of ordinary coolies sent over during the period was approximately 30,000.

The report gives other interesting facts as follows:

About 90 per cent of the Chinese laborers in France are natives of the province of Shantung, and their ages are between 20 and 40.

Eight thousand laborers were once sent to France by way of the Cape of Good Hope. Each such trip took three months. On account of the long journey and the lack of vegetables, many passengers became sick on board. Later, the laborers were transported to France by way of Canada. The trip by the new route usually lasts 39 days.

Upon their arrival in France, the laborers first proceed to Noyelles, Somme, where physical examinations are held and their passports are scrutinized. This examination of bodies and passports takes one week, after which they are distributed among the different factories located at such places as Erin, Dannes, Etaples, Boulogne, Wimereux, Ambletense, Calais, Andre, Dunkerque, in the vicinity of Abbleville.

Housing: Many Chinese laborers are living in wooden houses and some are living in tents pitched in open places. The size of the wooden house is 20 feet by 30 feet, and that of the tent is 5 feet in height with a diameter of 10 feet. Both the tent and the house are furnished with wooden floors. They are the same as those occupied by the British soldiers in the fields.

Diet: The Chinese laborers have three meals a day. Their breakfast consists of meat, vegetables and rice. Only bread and butter are served at tiffin. Each person receives for supper two loaves of Chinese bread weighing 10 ounces, one bowl of a mixture of vegetable and meat, and one pot of tea. The laborers have plenty to eat and nothing to complain of so far as their diet is concerned.

Clothing: On their leaving China for France, they are each furnished with one suit of winter clothes of blue color, lined with cotton, one suit of spring clothes of blue color, one straw hat, one hand bag, and one set of eating utensils. After their arrival in France, they are each furnished with one pair of leather shoes and one overcoat in addition.

Recreation: There are various forms of recreation and entertainment. Moving-picture shows are frequently given. Upon the proposal of the Young Men's Salvation Army, newspaper rooms were established for the benefit of the laborers. The latter are thus given the opportunity of reading Chinese newspapers and magazines after working hours.

Discipline: Any laborers violating the regulations governing them are subject to a fine equal to from 3 to 5 days' wages. Those who commit a graver offence are liable to be imprisoned from 3 days to two weeks.

Wages: Wages are paid monthly in French notes.

Medical Treatment: Special hospitals have been established for Chinese laborers. There is a general hospital for them at Noyelles. For any laborer under medical treatment, his wages stop on the day when he enters the hospital. But his medical expenses are paid by the British government. In the hospital, he receives the same good treatment as the British patients in every respect. Most of the phycians speak Chinese fluently. There are at present in the General Hospital over 2,000 Chinese patients, most of whom were taken there soon after their arrival in France under suspection of having contagious diseases such as eye, throat, stomach and lung trouble.

Pension: Any laborer, being disabled on service, is entitled to a pension of not more than $57. For any laborer who lost his life whilst engaged in the work, his family would receive a pension not exceeding $150. The pension for interpreters is double the amount granted to laborers.

The Term of Agreement: The term of agreement is three years. At the expiration of the agreement, the Chinese laborers are to return to China and their fares are paid by the British government. If any laborers get sick on account of climatical reasons, they will be sent back to China.

Interpretors: They receive better treatment than the ordinary laborers. Distinctions are usually made regarding the matter of discipline and medical treatment.

Mails: All mails of the laborers are to be censored by their chiefs before they are sent to the post office.

The kind of work done by Chinese laborers in France, and other similar details, are not lacking in

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interest. They are given in Mr. Chang's report as follows:

Kind of work: Apart from those doing the ordinary work of coolies, most of the Chinese laborers went to France as blacksmiths, carpenters, painters and mechanics. They are now working in the different mechanic shops, "dank" workshops, munition and airship factories. They enjoy a good reputation and their work has been proved to be excellent. Laborers without mechanical skill are working in the different docks, loading and unloading into and from the ships munitions and provisions for the British armies. The localities of their work are usually 15 miles away from the battlefield and they have never been forced to fight.

Working Hours: In accordance with the provisions made in the agreement, the Chinese laborers have to work 10 hours a day and 7 days in a week, without any holiday. At present, the working hours have been reduced. They have a half holiday each week, or one complete holiday each fortnight. Besides, they now work from eight to nine hours a day, either in the day time or at night.

Chinese Laborers at "Dank" Workshops: There are 1,000 Chinese laborers working side by side with British mechanics in the "dank" workshops ("dank" is a newly invented machine for trench fighting; many Chinese laborers are able to operate it).

Chinese Laborers at Dannes: There are 1,000 Chinese laborers at Dannes looking after the transportation of munitions. They are furnished with nice, dry dwellings, and good and clean food. They have also bathrooms, barber shops and hospitals.

Chinese laborers in Boulogne: Here the Chinese laborers are working side by side with British, Egyptian and African mechanics. In the munition factory, there are 500 Chinese laborers repairing munitions and transporting powder and explosives.

Chinese Laborers at Wimereux and Ambletense: At first No. 19 Party of the Chinese Laborers were quartered at these places. Owing to the dampness and the unhealthy condition of the country, they were moved to other places to work.

Chinese Laborers in Calais: Over 4,500 Chinese laborers are engaged in loading and unloading the ships and in the transportation of provisions and supplies for the British armies.

Danger from the Enemies: The Chinese laborers in Dunkerque and Calais are incurring some danger from the aeroplanes of the enemies. Those in other localities have not yet been subject to such danger.

The daring spirit of the Chinese laborers in France is briefly told in the following report:

The Chinese government deputed a special commissioner to investigate the work performed by the Chinese laborers in the different localities in France. The Chinese Commissioner was furnished with a passport from the British government. When reaching the front, he was warmly received by the authorities at British Military Headquarters. He was conducted by a British military officer to visit the different fields of the Chinese laborers. At every place he visited, the Commissioner would make a speech assuring the Chinese laborers of the good intention of the Chinese government in sending them to France, and of its protection. One day when the Commissioner was addressing the members of Party No. 4, an enemy aeroplane was seen dropping bombs upon British troops in the vicinity. An order was given by the British military officer that the Chinese laborers should seek shelter. A number of the Chinese laborers stood up and said to the speaker boldly: "Please finish your speech, for we are not afraid of bombs." The Commissioner had to continue his speech until it was finished.

China's Great Market for Machinery

AS may be noted from the statistics of different classes of machinery, Japan has taken a more and more dominant position in China's machinery trade each year. This is more readily seen from the totals of all classes of machinery imported, including machine tools, sewing machines, and electrical equipment, by countries as given in the following table:

Imports from	1915 Haikwan taels	1916 Haikwan taels	1917 Haikwan taels	Per cent of Increase (+) or Decrease (—)	
Japan	1,720,189	3,721,456	5,043,924	(+)	193
United States	1,042,134	1,656,567	2,236,313	(+)	124
Great Britain	2,451,056	3,175,198	2,056,756	(—)	2
Hongkong	810,126	1,211,708	674,384	(—)	2
Canada	56,605	299,511	427,025	(+)	673
All other countries	977,988	159,730	490,097	(—)	51
Total gross imports	7,068,098	10,224,170	10,918,499	(+)	54
Reexports	210,107	408,396	1,019,571		
Net imports	6,857,991	9,815,774	9,898,928	(+)	44

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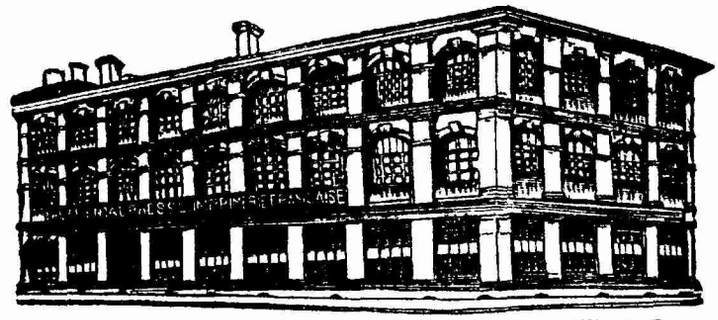

View of the Oriental Press Offices and Works and home of Millard's Review

AGENTS FOR

Pacific Ports, the important publication of Frank Waterhouse & Co., Seattle, U. S. A. This book of information contains material that should be in the hands of exporters and importers and shipping firms having connections in China or the Far East. It is a book of four hundred and fifty pages and is conveniently bound. The 1918 edition is now ready for distribution at Gold. $3.00 net. Apply to,

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Chinese Government Railway

Kaifengfu-Honanfu (Peinlo) Line

The Kaifengfu-Honanfu (Pienlo) Railway often called the Lunghai and Pienlo Line connects the main Shanghai-Tientsin lines with the Peking-Hankow line. It is 115 miles long and was financed principally by Franco-Belgian capital.

This line joins the Peking-Hankow Railway at Chenchow and an extension to Hsuchowfu on the Shanghai-Nanking-Tientsin line is contemplated. The line is franchised and has a capital of Mex. $17,270,595 of which Mex. $17,182,006 is paid up. The franchise for its construction was granted to the Compagnie Generale des Chemins de fer et Tramways de Chine. 260 miles of extension to Sianfu was originally granted to two Chinese provincial companies. The first Section of 115 miles was redeemed by the Chinese Central Government in 1914.

The amount at credit for the cost of the railway was Mex. $16,537,779 and of this sum Mex. $16,300,117 has already been disbursed. Passenger receipts for the first five years working were: Mex. $273,489; $303,960; (No record); $482,097; $537,313. Freight receipts in 1911 and 1912 were Mex. $261,348; and Mex. $274,960, and in 1914 and 1915 Mex. $547,388; and $485,377 respectively.

The general working expenses in 1911 and 1912 were Mex. $465,179 and $524,741 and in 1914 and 1915 were Mex. $464,464 and $606,426 respectively.

Further information regarding the line may be obtained by addressing the

DIRECTOR GENERAL, LUNGHAI RAILWAY
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The Peking-Hankow route joins at Fengtai the main line of the Peking-Mukden Railway, by means of which this line is connected with the railways in Manchuria, Korea, Japan and Siberia, while steamer facilities at Hankow bring it into easy communications with the Yangtze River ports and Shanghai.

From the Capital of Hankow the journey occupies 34 hours, by the daily through train which is provided with up-to-date sleeping and dining accommodations.

Chikungshan Mountain (Summer Resort), not many Summer Resorts in China inland can bear comparison with the natural charming views that reward those who ascend the mountain of Chi Kung Shan whose summit stands at an altitude of 1980 ft. On reaching Sintien station, situated 110 m. from Hankow, a serpentine road climbs the mountain, on top of which are hundreds of beautful bungalows awaiting vacationists. This popular resort is celebrated for its scenery, where an almost unbroken communion with nature can be enjoyed for a week at a time.

Hsi Ling or Western Tombs. With their present-day accessibility, there is now little excuse for visitors to Peking omitting a trip to the Western Tombs, undoubtedly one of the most impressive sights in China. The site of these beautifully adorned Imperial Tombs is close to Liang Ko Chwang station, 79 m. from Peking, which is reached by a Branch-line formerly built for the exclusive use of the Imperial Sovereigns when visiting the Tombs of their ancestors. The Western Tombs include the mausoleums of four Manchu Emperors and three Empresses, as well as those of a number of Princesses. The region is justly appreciated for the charming scenery surrounding the Imperial Tombs and is highly recommended to any one in search of the extraordinary and beautiful.

These figures show a consistent demand for industrial machinery and equipment in China which has been unaffected by scarcity of goods abroad, high prices, or lack of shipping, but, even taking into consideration the increased price of goods as affecting total values, has at least held its own in a time of considerable disturbance. Although Japan has increased its sales to a greater degree than America has, this increase has been mainly in electrical fittings and equipment, supplies which China is rapidly making at home. The growth of Canada's trade in other classes has offset the losses of Great Britain, and Canada bids fair to become a serious competitor in the heavier lines.

Cooperation Between the United States and China

From the "New York Times"

China is entering upon a new era of industrial expansion as a result of the war. On July 29 the State Department announced that the policy of loans by American bankers to China had been approved so that the Eastern Republic might be in a better position to defend itself against enemy forces approaching its borders. In making the announcement the Acting Secretary of State said that China declared war against Germany very largely because of the action of the United States, and that the government therefore felt a special interest in helping China. American bankers, headed by J. P. Morgan & Co., are ready to proceed to provide the money required, now that the United States government has reversed the policy which was denounced by former Secretary of State Bryan as "dollar diplomacy" and which led to the withdrawal of American interests from the Six-Power Group.

That China can also be of service to the United States was seen in the message sent on July 26 to the Chinese government announcing that the Shipping Board had that day completed negotiations for the construction of $30,000,000 worth of ships at the Chinese government yard at Shanghai. This yard has twelve ways, with all necessary shops and a dry dock capable of admitting vessels up to 544 feet. In this yard were repaired all the damaged German and Austrian vessels which had been interned by China.

Shipments of Wolfram Ore From Hongkong

Predictions made a year ago that the deposits of tungsten ore or wolframite in South China, including territory in the colony of Hongkong, would prove to be one of the most important additions to the world's supply of this ore discovered in recent years, have been amply fulfilled in the development of the industry. Shipments of ore from Hongkong alone, not including shipment from Canton, Swatow and other points made through Shanghai and other transshipment ports, have totalled G. $1,831,590 in value so far the current year, the ore in general being valued roughly at G. $1,000 a ton. Shipments during the first quarter of the present year were valued at $124,286; for the second quarter at $696,899; while for the first two months of the current quarter they have amounted to £2,016,388 valued for invoice purposes at G. $1,010,405. Shipments may now be said to be in full swing. The number of Chinese interests involved in the collection of the ore from the various pockets in which it is found in much of the Kwangtung, Kwangsi and Hunan provinces has increased until there is a veritable boom in the business, while the industry has proved to be of immense benefit to Chinese labor, whose ordinary occupations have been interfered with by the shutting off of exports in other lines.

As has been indicated in previous reports, the ore is generally found in isolated deposits or pockets scattered over a wide extent of territory. Various systems of managing the mining have been tried, with the result that at present by far the greater part of the ore is purchased by middlemen from Chinese operators who manage the mining and secure and deliver the ore in Hongkong, Canton or Swatow in their own way. Even where deposits are owned by the exporter of the ore the mining is generally done on a piece basis. There seems to be no reason for anticipating any reduction in the volume of the output. Most of the ore now produced is being exported from Hongkong. —*By Geo. E. Anderson, U. S. Consul-General, Hongkong, August 31, 1918.*

Business Opportunities

The following trade inquiries of special interest to foreign and Chinese firms interested in the import and export trade of China have been received. Firms or individuals in China or elsewhere interested in corresponding with these firms may obtain names and addresses by applying to the Business Manager, MILLARD'S REVIEW, 113 Avenue Edward VII, Shanghai. Please give Number of inquiry when writing:

No. 52—Large Chicago packing concern handling tinned meats, fruits, pharmaceutical lines, and sporting goods desires agent in Shanghai. Persons interested are urged to communicate at once.

No. 53—New York export and import merchants desire agent in China. Give as reference National City Bank, and Lloyds Bank of London.

No. 54—American Chamber of Commerce in London, address, No. 8 Waterloo Place, Pall Mall, S. W. I., desires to be of service to American firms in China desiring information regarding business in England. Communications should be sent to Philip W. Whitcomb, secretary.

No. 55—New York firm desires connection in China for the handling of soda fountains, soda water dispensing apparatus, drinking fountains, gravity water filters and other materials. Has been supplying apparatus for practically all of American army cantonments and desires foreign connections for after-war business.

No. 56—Export company in San Francisco desires agents in China for the following materials: liquors, beers, wines, cordials, also hardware, tools, cutlery, electrical goods, paints and varnishes, bottles, perfumery, mechanical rubber goods, provisions, dried and canned fruits, soaps, condensed and evaporated milk, old newspapers, chemicals, etc.,etc.

No. 57—New York dye and chemical firm desires agents in China for dyes and chemicals.

No. 58—New York company desires connections in China to handle chemicals, drugs and medicinals, dyestuffs, oils and kindred products, wearing apparel, textiles, notions and novelties, leather and rubber goods, general hardware, kitchen hardware, tools and implements.

No. 59—New York company desires names of reliable firms in China that export Chinese paper to the United States.

No. 60—Large powder factory in Delaware desires connections in China for the handling of dynamite, blasting caps and safety fuses.

No. 61—Philadelphia manufacturer desires to get in touch with exporters of spices, seeds, drugs, especially spice seeds and bird seeds.

No. 62—A leading American manufacturer of shirts and collars desires agents in China to handle their product.

No. 63—Large Brazilian firm in Rio de Janeiro, Brazil, desires to represent American or Chinese firm for sale in Brazil of Chinese teas in cases, in bulk, either black or green. Is also in position to export Brazilian products to China. Gives as reference R. G. Dun and Co., National City Bank and Guaranty Trust Company of New York.

Magnesite Ore in Manchuria

In a report published in the *Board of Trade Journal*, the British Consul at Dairen states that in a prospectus issued by a mining company in Manchuria it is stated that the amount of magnesite ore existing in Manchuria is estimated at 200,000,000 tons. Its quality is reported to be excellent, superior by far to that of the North American product, and samples of firebrick made from it and exhibited at the Chemical Industries Exhibition, held at Tokio in 1917, were considered better in quality than similar articles imported formerly from Austria, which, before the war, was practically the only source of supply. Similarly, magnesite cement made from the Manchuria ore was found, on examination at the South Manchuria Railway Company's laboratory, to be superior to that coming from abroad. The future of this particular branch of mining is, therefore, very promising. The result of analysis made in the laboratory of the Magnesite Company, at Portersville, U. S. A., of a specimen of Manchurian ore, was as follows:

Magnesia	47.13
Lime	traces.
Iron and Aluminium	.64
Silica	1.48
Carbonic Acid and Water	50.75
Total	100.00

As New York Views the Rouble Situation

From the "Financial World," N. Y.

As it becomes more and more apparent that the Allies have secured the upper hand and that the outcome of the war is no longer in doubt, speculation in Russian roubles increases and during the past week they had a further advance to eighteen cents to the rouble. In speculative circles Russian roubles are considered as offering an attractive opportunity to turn money into profit quickly, buyers holding the view that whatever terms of peace the Allies will insist upon they will include some provision for the restoration of a strong government in Russia. If that is brought about they figure that whoever composes the constituted government authorities, one of the first steps they will take will be to restore the confidence of the Allies in Russia. This would only be possible through the reestablishment and maintenance of credit.

The Russian roubles parity is 51 cents of the American dollar and as it is selling around 18 cents, the speculator sees in its present price a good deal of room for advance and he is willing to take a flyer when the prospects are so bright. Incidentally Russian internal bonds have advanced to $202 per 1,000 roubles, which is a gain of more than $30 over the week end. This increase in their market value has heartened the buyers of these bonds, who bought them when Russia was one of the family of Allies and was financing its war contracts through the sale of her bonds here. With every step backward taken by the German army to the Rhine, Russian bonds may be expected to gain in favor. When the Huns are cleaned up, the Bolsheviks, who have been fed with German gold, also will be driven into retirement.

China Tea Trade Association Ceases to be a Purely British Body

A meeting of those interested in the China tea trade was held in the British Chamber of Commerce rooms in Shanghai December 10 under the auspices of the China Tea Trade Association. H. A. J. Macray, who presided, in a short speech mentioned that the war and the restrictions by the British government as regards China teas had dealt the trade a severe blow. But now that peace was in sight he thought it would be a good idea to try and resuscitate the Association and at the same time strengthen it, bringing in other than only British members, and in fact making the Association international, so that it might have representatives of most of the consuming markets. Resolutions were adopted providing for a levy of 5 candareens per picul from shippers and all leaf exporters, the funds to be used for the benefit of the China tea trade; also for a levy of 5 candareens from Chinese guilds on all leaf tea sold to foreign exporters, provided the Chinese government contributed one mace per picul on all leaf tea exported to foreign countries. A resolution was also passed increasing the members of the committee from five to ten by the addition of representatives from American, Central Asian, Russian, Chinese and Indian interests. The following were elected to the committee: N. T. Saunders, for America; W. E. Ulanoff, Russia; and A. Majid, India. The question of appointing representatives of Central Asia and China was left open.

Commercial and Financial Notes

According to news received from San Francisco, Jim Kai, Chinese financier and shipping magnate who recently arrived in San Francisco from China, participated in the directors' meeting of the China Mail Steamship Company, at which he and Mr. Chow were elected directors. The company plans to get additional ships for the trans-Pacific trade.

Germany's gross debt, peace and war, is G. $34,000,000,000, or 45 per cent of her wealth; England's

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$34,000,000,000, or 45 per cent of her wealth; Italy's $8,000,000,000, or 46 per cent of her wealth; the United States' $10,000,000,000, or 4 per cent of her wealth, according to the October issue of *Leslie's Weekly*. Even with the Fourth Liberty Loan ($6,000,000,000) added, the percentage of the United States would only be 5 per cent. To match what Australia and Canada have done America should raise $20,000,000,000.

The China trade of Japan done through the six ports Yokohama, Kobe, Osaka, Nagasaki, Moji (including Shimonoseki) and Hakodate, according to a report contained in the November issue of the *Herald of Asia*, amounted to Yen 12,190,000 in exports and Yen 14,781,000 in imports, balance being Yen 2,591,000 in favor of the latter. The total amount of trade done since January 1918 was Yen 273,563,000 in exports and Yen 174,932,000 in imports, showing an excess of Yen 98,632,000 in exports over imports.

The following was issued by the Bureau of Foreign and Domestic Commerce, Department of Commerce: Buyers at a public auction of furs held in Louis, Mo., on October 8, subscibed to G. $1,150,000 worth of Liberty Bonds prior to the sale. This subscription was in addition to the $728,000 previously subscribed by the local fur trade of that city. The furs sold on government account at this sale included 2,000 dyed and dressed Alaska sealskins, which were sold for $103,440, an average of $51.72 per skin, representing an increase of 16 per cent over the prices obtained at the last sale held, and 692 blue-fox skins, which brought $57,099, or an average of $82.50 per skin. The total receipts, including the sale price of 10 white-fox skins, were $161,619.

At the Shanghai Hotels.

The following guests have registered at the Astor House Hotel during the week: Mrs. L. F. Gardner, Chinkiang; Com. Monroy; Mr. and Mrs. J. P. Babcock, Soochow; J. B. Williams, Sydney; L. Barrard, Nanking; G. Farquharson, Tientsin; Miss A. J. Griffin, Soochow; E. Heller; Mme. O. Buka, Kobe; L. F. Tebbutt, Taiyuanfu; E. M. Geibel, Hangchow; Mr. and Mrs. T. L. Fairley, Hongkong; Mr. and Mrs. T. Woods, Hongkong; Mr. and Mrs. Wiessing, Hongkong; Mr. and Mrs. A. G. Lamminga, Hongkong; M. T. Stork, New York; E. J. H. Periss, Hongkong; L. Londres, Hongkong; H. Kobeolski, Hsuchowfu; R. F. Toung; Mr. and Mrs. D. Gow, Hongkong; T. H. Trotter, Tokio; G. Candron, London; E. Rochette; Prof. A. Skiarewski, Vancouver; C. A. Williams, London; A. C. Rendoll, London; Baddeley; W. Johnstone, Canton; B. Moss, Tientsin; L. K. Taylor, Kiukiang; Mrs. J. Peter, Wusih; Mr. and Mrs. P. C. Coleman, Newchwang; N. O. Nielsen, Vladivostock; H. Christensen; G. Fricke; A. Jensen, Dairen; Mr. and Mrs. W. H. Hardy, Teintsin; W. A. Marshall, Colombo; J. S. Hughes, San Francisco; B. Sideine, Hakodate; Duchess of Bhisunlok, Victoria; Ed. Healay, Victoria; Miss Chen; N. H. Jarman, Toronto; E. M. McGrath, Tientsin; Peliakof; E. B. Gregory, Shanghai; Mr. and Mrs. J. Dellvurgo, Kobe; Mrs. L. Griffin and child, Yokohama; Mr. and Mrs. J. W. Appleton, New York; P. M. Ketching, Tientsin; E. C. Sarddissis, Tientsin; R. W. Dana, Boston.

The following guests have registered at the Grand Hotel Kalee during the week: Ratnor, Harbin; A. Yager, Los Angeles; H. P. Jaroske, Manila; O. R. Hansen, Tsingtao; Mr. and Mrs. Garretson, Shantung; J. Th. Manchen, Tsingtao; R. Henckel, Tsingtao; J. Tsirinsky, Dalny; H. Habin, Dalny; Mrs. L. Martin, Nanking; Mr. and Mrs. Rosselet; Georges, Switzerland; Miss A. M. Browner, Amsterdam; N. T. Thorson, Hongkong; A. Jensen, Dairen; E. C. Kopp, Hangchow; J. M. Nazares, Philadelphia; Miss M. Krasting, Vladivostock.

The following guests have registered at the Palace Hotel during the week: J. C. West, Weihaiwei; Capt. H. Ronsslet, New York; John Irvine, Nanking; A. de B. Oiolma, Peking; E. Fanstone, London; S. Hill, Seattle; T. C. White; Nils T. Thorson, Hongkong; Alf. Chapman, Hongkong; T. G. Breed, Hongkong; R. M. Levinge, Nanking; E. D. Forrester; S. R. Hanson, New York City; Mr. and Mrs. A. E. Anderson, San Francisco; H. van Daalen, New York; Mr. and Mrs. J. C. Dowding, England; E. F. Mackie, Ningpo; H. Cruz, Swatow; Mr. and Mrs. W. S. de Gay; Mrs. Reinsch; J. J. Kerris; A. W. Van der Star, Hongkong; Capt. R. Ferguson.

New Books and Publications

English Liberty

Constitutional History of England, by Thomas Erskine May, edited by Francis Holland. New York: Longmans, Green & Co. G. $9.00.

IT is a happy circumstance that a new edition of May's classic "Constitutional History of England," brought down almost to the eve of the Great War by a capable editor, Francis Holland, has been made available to students of political evolution. The author was a conservative Whig of the old school, a learned gentleman, never guilty of radical indiscretions, but always ready to praise with softened moderation the many liberal sacrifices which produced the perfect world in which he found himself about 1860. No one can accuse May of the slightest sympathy with republicanism or with any of those democratic tendencies which were associated with the left wing of British Whiggery. The extreme conservatism of the author makes his work all the more acceptable to those of academic predilections and excludes at once any lurking suspicions that he might wish to give aid and comfort to the Paines, Voltaires or Cobbetts of any age or clime. The value of this quality in our author will become clearer as this review proceeds. May opens his survey of a century of English liberty with the accession of George the Third, whose capacities are celebrated in every American text-book on

history. It is an extraordinary England which May presents to us—an England that stands in startling contrast to the great, free England that is to-day battling heroically for liberty on the fields of France. In 1760 parliamentary suffrage was so limited that nine-tenths of the adult males were excluded from all share in the government; bribery and corruption were rife, open and defended among the ruling classes as necessary to keeping the masses in order; long lists of rotten boroughs in the hands of the landed aristocracy made mockery of such suffrage as was tolerated; the king on the throne was determined to exercise with all his might the "prerogatives which God had given him (*Dei gratia*, &c.)"; rising centers of trade and commerce where the middle classes had their strongholds were deprived of representation; the House of Lords "managed" the politics of the realm; Catholics were proscribed; Protestants who were not of the Anglican persuasion were laid under heavy disabilities; labor was deprived of the right of self-protection through organization, as well as all voice in the government; capital punishment was meted out for nearly two hundred crimes, including slight offences against the rights of property. Many enlightened liberals like Pitt, Burke, Fox and Wilberforce had protested against one or more of the salient abuses, but the magnificent system of the corrupt oligarchy stood intact. What a contrast with the England of our day that has just put the capstone upon the structure of her political democracy by enfranchising her women.

May goes on to relate in measured terms how all of the ancient abuses were in later days removed; how parliament was reformed, the suffrage widened, the House of Lords reduced almost to impotence; how Catholic disabilities were removed; how Dissenters' grievances were met; industrial reforms instituted; and monuments built to those who suffered martyrdom in the great days of patrioteering and hysteria when the Tory in all his uncontrollable wrath was let loose upon the liberal public.

In reading over this remarkable work, this moving story of how English liberties have been won, many will find cause for gratification that in our trying age we have escaped the evils which marred the domestic life of England during the Napoleonic wars.—*From the "New Republic."*

Woodrow Wilson

The Foreign Policy of Woodrow Wilson—1913-1917 by Edgar E. Robinson. New York: The Macmillan Company. U. S. $1.75.

NOT to interfere in European politics had been the policy of America before 1917. But when Germany trampled under her foot all the rights that humanity respected, Wilson made a new departure in the American policy and entered unselfishly and wholeheartedly into the Great War, helping to win it for humanity.

The volume before us deals exhaustively with Wilson's foreign policy from 1913 to 1917, providing in a convenient form most of the important statements of the President and his Secretaries in reference to his policy. The book contains the fundamental principles and the momentous decisions, with quite noteworthy remarks on them. It is a strong vindication of Wilson's policy and any adverse criticism is bound to sink into insignificance when viewed under the light of the true spirit which actuated Wilson in making the great departures in America's foreign policy.

The book contains a useful appendix containing a summary of the foreign relations of the United States, which serve as a reference book.

This book is a study in higher politics, free from petty selfish policies, and students of world politics will surely find it useful.

H. P. S.

American Courts in China

(*Continued from the issue of November 9*)

III Jurisprudence and Legislation, Continued

2. *Unwritten Law*

a. The Common Law.

In any jurisdiction there are, of course, many subjects not covered by legislation; and these *lacunae* were early provided for in the American law for extra-territorial countries by enacting that

> "in all cases where such laws (of the United States) are not adapted to the object, or are deficient in the provisions necessary to furnish suitable remedies, *the common law* shall be extended in like manner over such citizens and others in the said countries."[58]

So the Act establishing the United States Court for China provides,

> "in all such cases when such laws are deficient in the provisions necessary to give jurisdiction or to furnish suitable remedies, *the common law and the law as established by the decisions of the courts of the United States* shall be applied by said court in its decisions and shall govern the same subject to the terms of any treaties between the United States and China."[59]

Attorney General Cushing, in the opinion already quoted from, referred as follows to that part of the first provision above quoted relating to the common law:

> "For such of the States as were founded in whole or chief part by colonists from Great Britain and Ireland, or their descendants, the law of England, as it existed in each of those States at the time of their separation from Great Britain, with such modifications as that law had undergone by the operation of colonial adjudication, legislation, or usage, became the common law of such independent State.
>
> Meantime, in addition to many changes, differing among themselves, which the common law underwent in each of the colonies before it became a State, that common law has been yet more largely changed by the legislation and judicial construction of each of the States.
>
> Hence, it was not enough to enact that the common law should intervene to supply, in China, deficiencies in the law of the United States. For the question would be sure to arise: What common law? The common law of England at the time when the British colonies were transmuted into independent republican States? Or the common law of Massachusetts? Or that of New York, or Pennsylvania, or Virginia? For all these are distinct, and in many important respects diverse, "common law."[60]

For it is well settled that "there is no common law of the United States as distinguished from (that of) the individual states" *i. e.* no "national customary law, distinct from the common law of England as adopted by

58. Act of Congress of Aug. 11, 1848, 9 U. S. Stats. at Large, 276, Ch. 150, sec. 4.
59. Act of Congress of June 30, 1906, 34 U. S. Stats. at Large, Ch. 3934.
60. Opinions of Attorneys General, VII, 503.

the several states each for itself." [61] There is authority, however, for the view that the first answer suggested by Mr. Cushing is the correct one. Thus,

> "This common law, on which the constitution is predicated, necessarily is not a compound of the law, as it applied in the several states at the adoption of the constitution, because the original had undergone changes by local usage and adjudication, in the process of its adaptation to colonial conditions Necessarily it is that unit of law, which prevailed in England—the English common law proper. And it was that law, as it stood manifested by English decisions, *at the date of the Declaration of Independence*, because till then appeals lay from the colonial courts to the King's bench, and from that tribunal to the House of Lords, where controlling decisions became, down to that period, the authoritative exposition of the law, and its conclusive evidence." [62]

Several tribunals have construed, on the whole similarly, this Act of Congress which extends the "common law" to China. The first, a state court, observed:

> "We understand by the 'common law,' as used in the Act of Congress, and applied to the arbitrament of controversies between citizens of the United States, that general body of law, which, as Judge Marshall expresses it, is constituted 'by those general principles and those general usages which are to be found, not in the legislative Acts of any particular State, but that generally recognized and long established law which forms the substratum of the laws of every State,' *i. e.* every State carved out of the British Colonies. We may look to American as well as English books, and to American as well as English jurists, to ascertain what this law is, for neither the opinions nor precedents of Judges can be said, with strict propriety, to be the law—they are only evidence of law." [63]

In the United States Court for China the phrase has been

> "interpreted to mean those principles of the common law of England and those statutes passed in aid thereof, including the law administered in the equity, admiralty and ecclesiastical tribunals, which were adapted to the situation and circumstances of the American colonies *at the date of the transfer of sovereignty* as modified, applied and developed generally by the decisions of the United States courts, and incorporated generally into the statutes and constitutions of the States." [64]

Finally the Court of Appeals, in reviewing the case last cited, expressed the opinion that

> "in making the common law applicable to offenses committed by American citizens in China, and the other countries with which we have similar treaties, Congress had reference to the common law in force in the several American colonies *at the date of the separation* from the mother country, and this included not only the ancient common law, the *lex non scripta*, but also statutes which had theretofore been passed amendatory of or in aid of the common law." [65]

But, as was observed by one who had experienced in a practical way the difficulties of which he spoke,

> "Just think what this means. It means that where the statutes of the United States are deficient or not suitable the Court must ascertain the common or unwritten law in force in the colonies prior to the Declaration of Independence, and if successful, attempt to apply it to modern conditions in China. The Judges of the Court of Appeals must have felt some amazement at the situation." [66]

b. Equity:

The statute of 1860 added after the words "the common law," the phrase "including equity and admiralty" [67] and such inclusion as to equity has other sanction.[68] But equity in the United States has had a development independent of that of the common law. The equity jurisdiction of the Federal Courts *e. g.*, and their mode of administering it, is uniform thruout the country [69] and while it would probably be overstating to speak of a Federal "equity jurisprudence" it is nevertheless true that no American tribunals have applied so extensively the system developed by the English High Court of Chancery as have the Federal Courts.

c. Admiralty:

The third branch of the unwritten law specified in the statute of 1860, is administered in the United States by the Federal Courts exclusively [70] and state legislation has no effect on either the procedure or the jurisprudence [71], which is substantially the maritime law of the whole Western world.[72] This branch therefore presents none, and equity not so many, of the difficulties resulting from the extension of the 'common law" in its restricted sense.

CHARLES SUMNER LOBINGIER.

61. Corpus Juris, XII, 196 and numerous citations.
62. Ware v. Wanless, 2 Wyoming, 144, 152.
63. Forbes v. Scannell, 13 California, 242, 285 (1859) construing an assignment originally confirmed by the American Consul at Canton.
64. Wilfley, J. in U. S. v. Biddle, American Journal of International Law, I, 793, 796; reversed on another point, 156 Fed. 759.
65. Biddle v. United States, 156 Fed. 759, 762.
66. Stirling Fessenden in Far Eastern American Bar Association Publications I, 23.
67. Act of Congress of June 22, 1860, 12 U. S. Stats. at Large, p. 73. Ch. 179, sec. 4; Rev. Stats., sec. 4086.
68. "The English common law in the enlarged sense, as embracing law and equity became, by the principle of colonization, the fundamental jurisprudence of the American colonies." Ware v. Wanless, 2 Wyoming, 144, 152.
69. See the writer's article "Equity," Am. & Eng. Encyc. of Law (2nd ed). XI, 155.
70. Federal Const., Art. III, sec. 2; Federal Judicial Code (1911) sec. 24, cl. 3; sec. 256, cl. 3, 4.
71. The Chusan, 2 Story, 455, 5 Fed. Cas. 680, 682
72. Corpus Juris, I, 1251 (51).

(*To be Continued*)

In the United States Court for China

Recent Filings:

December 9, 1918; Cause No. 705; In re Alexander Krisel; demurrer.

" 9 " Cause No. 698; In re Last Will and testament of Hans Jensen von Qualen, deceased; deposition; letters testamentary.

" 10, " Cause No. 674; Wen Tsung Yao v. L. Kamsui; motion.

" 10, " Cause No. 701; Judah I. Ezra v. W. L. Merriman; plaintiff's motion and notice.

" 10, " Cause No. 696; In re Estate of Martin Luther Tinder, deceased; deposition; report of sale.

" 11, " Cause No. 696; In re Estate of Martin Luther Tinder, deceased; letters of administration.

" 11, " Cause No. 705; In re Alexander Krisel; exception; answer.

" 11, " Cause No. 701; Judah I. Ezra v. W. L. Merriman; defendant's objection.

" 11, " Cause No. 712; Harvie, Cooke & Co. v. Muller, MacLean & Co.; petition; affidavit; summons to answer.

„ 11, „ Cause No. 701; Junah I. Ezra v. W. L. Merriman; plaintiff's motion and notice.

„ 12, „ Cause No. 707; Huang Mien Chow v. Machinery & Metals Sales Co.; writ of execution.

Judgments and Orders:

December 9, 1918; Cause No. 707; Huang Mien Chow v. Machinery & Metals Sales Co.; judgment.

„ 9, „ Cause No. 698; In re Last Will and Testament of Hans Jensen von Qualen, deceased; admitting Will to probate and directing issuance of letters testamentary.

„ 10, „ Cause No. 705; In re Alexander Krisel; over-ruling demurrer.

„ 11, „ Cause No. 696; In re Estate of Martin Luther Tinder, deceased; directing issuance of letters of administration.

„ 13, „ Cause No. 706; Gunn v. Gunn, decree.

Hearings:

December 10, 1918; Cause No. 705; In re Alexander Krisel; on demurrer.

„ 12, „ Cause No. 701; Judah I. Ezra v. W. L. Merriman; on motion.

„ 12, „ Cause No. 706; Gunn v. Gunn; on the merits.

Assignments for Hearing:

December 19, 1918; Cause No. 674; Wen Tsung Yao v. L. Kamsui.

„ 23, „ Cause No. 705; In re Alexander Krisel.

January 13, 1919; Cause No. 661; A. Tapelisky et al. v. Manchurian-American Trading Corporation.

IN RE ALEXANDER KRISEL.

(*Filed December 6, 1918.*)

William S. Fleming, Esq., for respondent's motions.

Robert T. Bryan, Jr., Esq., Special Assistant United States District Attorney, *contra.*

LOBINGIER, J..

The respondent moves to quash the motion, in the nature of an information, on the ground that the one who appears therein as accuser and who signs and verifies the same "has not been lawfully appointed Special Assistant United States District Attorney." It appears from the evidence that the following document is on file in the office of the official whose name is attached:

"TO WHOM IT MAY CONCERN:

"This is to certify that I have appointed Robert T. Bryan, Jr., Esquire, as Special Assistant District Attorney of the United States to act for the Government of the United States of America in criminal proceedings against Jose A. Diaz.

(Signed) Chauncey P. Holcomb,
United States District Attorney.

Shanghai, China, July 26, 1918."

The general rule is that a prosecuting attorney has authority with the approval of the court to employ special counsel to assist him.[1] Special assistants for Federal district attorneys in the United States are expressly[2] provided for whenever in the opinion of the Attorney-General "the public interest requires it." As respondent's counsel concedes, the Secretary of State must be substituted for that officer in dealing with the District Attorney for China. The records of this Court show that the present Acting and Special District Attorney was originally appointed by the Court upon authority previously received from the State Department, which was renewed later at the request of the regular District Attorney, and that the former took, subscribed and filed an official oath.

The proceedings referred to in the District Attorney's letter of appointment of July 26 led not merely to one prosecution but to seven, in all of which the Special Attorney so appointed appeared as prosecutor with the full sanction of the Court and without objection by any one. Later his services were continued and utilized in other proceedings by the Acting District Attorney who ultimately prepared and signed the following:

"TO WHOM IT MAY CONCERN:

"This is to inform you that Robert T. Bryan, Jr., is the Special Assistant United States District Attorney of the United States Court for China."

This was not, as suggested by respondent's counsel, the delegation of delegated power; for, as has been said, the State Department was the direct source of the Acting, as well as of the regular, District Attorney's authority. It was rather the statement of a fact and the recognition of a situation which had existed for some time with the Court's knowledge and approval. The appointment, indeed, was made after the Court had left for sessions on the circuit so that its formal sanction was not obtained. But upon its return, learning of the appointment, the Court was pleased to approve it and to utilize the special attorney so designated in making certain investigations, the regular District Attorney having meanwhile gone on leave. But such formality as commissions and oaths, however necessary they may be for the regular incumbents of an office, especially where compensation from public funds is involved, have not usually been required for those whose employment is by its very terms casual and temporary. Recently at Tientsin the Court had occasion informally to call upon the Judge Advocate of the Army to act as Prosecuting Attorney, and previously Special Attorneys had been named either by the Judge or the District Attorney without oath or commission. Respondent's counsel states that when he was Special United States Attorney he thinks he was given a written appointment by the Court and he thinks that he filed a written oath. A careful search by the staff of this Court fails to disclose either but does disclose a letter written to said counsel by the then regular District Attorney (Dr. Hinckley), reciting that the former

"took charge at my request of prosecutions in two actions for forgery against P. A. Grimes,"

And expressing the opinion that

"the authority of this office under the Statutes extends to engaging such assistance."

1. State v. Bezou, 48 La. Ann. 1369, 20 Sc. 892; State v. Anderson, 29 La. Ann. 774; Sneed v. The People, 38 Mich. 248, 251; Am. & Eng. Encyc. of Law (2d Ed.) XXIII, 273.
2. U. S. Revised Statutes, Sec. 363. The Act of May 28, 1896, 29 U. S. Stats. at Large, 191, Ch. 252, Sec. 8, cited by respondent's counsel, refers to regular assistant district attorneys and not special ones as in this case.

The implication seems plain that no other authority was invoked in that instance and it was manifestly less formal than that of the present accuser.

II

We have said this much in justice to the Special Attorney whose authority to sign as such has been challenged and of whose right thus to appear we have no doubt. But we are equally convinced that it would have made no difference in this instance if he had not been originally appointed by the regular District Attorney nor his services utilized and continued by the Acting and Special District Attorney with the knowledge and sanction of the Court. For the statute under which this proceeding is brought expressly provides that where the facts are not within the knowledge of the court the proceeding "may be taken upon the information of *another*." [3] This would not even require the moving party to be an attorney-at-law, and if respondent's contention were sound the only effect would be to treat the phrase "Special Assistant United States District Attorney" as surplusage just as respondent now asks us to treat a part of the information. For respondent's inquiry as to who is his accuser is answered by the information itself in which the party who signs and verifies it "accuses Alexander Krisel" etc.

We cannot, therefore, regard this motion as a meritorious one and as it avowedly does not affect the merits of the case and as the accuser's capacity, whatever it might be, could not prejudice the respondent, the motion is overruled.

III

Respondent also files a motion to strike from the information the following excerpt from the charge to the jury in H. B. M. Supreme Court in the cause in which, it is alleged, another was convicted for following respondent's advice:

> "Now we come to Mr. Krisel. Mr. Krisel's evidence is undoubtedly in favor of the accused. If you were to follow Mr. Krisel's evidence it seems to me you would be pretty well bound to acquit the accused. The Crown Advocate did not refer to him in his reply, nor did Mr. Jenkin, and I think that it was perhaps a wise forbearance on Mr. Jenkin's part that he did not do so. You will feel at once that if, although he happens to be a witness for the Crown, he was the accused's own lawyer, you ought not to be asked to treat him as hostile to the accused, as a witness for the Crown and so to follow implicitly what he said in order to discredit the case for the Crown. He was wisely left out. If he is left out, we are reduced to the evidence of one witness, and that is Sergt. Woodfield."

We are of the opinion that this is evidence rather than a proper part of the information. It is true that the Supreme Court has held [4] that formal pleadings are not required in disbarment proceedings. That, however, was before the enactment of the statute just cited, and where, as here, the proceeding was instituted by a formal pleading it seems better, in order to avoid unwise precedents, to follow the settled rules. The motion to strike is therefore sustained but without prejudice to the admissibility in evidence of the matter therein specified.

Respondent's application for an extension of time to December 10 for answer is also granted.

3. Act of Congress of June 6, 1900, 31 U. S. Stats. at Large, 450, Ch 786, Sec. 744.
4. Randall v. Brigham, 7 Wall. (U. S.) 532, 19 Lawy. ed. 285; *Ex parte* Wall, 107 U. S. 265, 27 Lawy. ed., 552.

By the Court,

CHARLES S. LOBINGIER,
Judge.

07-088

In the United States Court for China

In re Last Will and Testament of JOHN A. BELL, Deceased.

Cause No. 699
Estate No. 265
NOTICE TO CREDITORS

NOTICE is hereby given to all parties interested that the undersigned have been appointed Executors of the above named decedent's estate; that all persons having claims against the said estate are required to present the same for payment, with vouchers, to the undersigned on or before May 30, 1919, and all persons owing the said deceased are required to make payment to the undersigned.

EDWARD BELL,
G. CASTRILLO,
Executors,
9, Thorne Road,
c/o Shanghai Building Co. Inc.,
Shanghai, China.

November 30, 1918.

In the United States Court for China

In re Estate of MARTIN LUTHER TINDER, Deceased.

Cause No. 696
Estate No. 262
NOTICE TO CREDITORS

NOTICE is hereby given, to all parties interested that the undersigned has been appointed Administrator of the above named decedent's estate; that all persons having claims against the said estate are required to present the same for payment, with vouchers, to the undersigned on or before June 14, 1919, and all persons owing the said deceased are required to make payment to the undersigned.

Dr. ALBERT S. TENNEY,
Administrator,
Kiukiang, China.

December 14, 1918.